

RESPONSIVENESS SUMMARY
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**RESPONSIVENESS SUMMARY
APPENDIX 1**

**PRESS RELEASES FOR COMMENT PERIOD AND COMMENT PERIOD
EXTENSION**

News Release

EPA Region 2 - New Jersey, New York, Puerto Rico,
U.S. Virgin Islands, and Eight Federally Recognized Indian Nations



EPA Proposes Locations for Two Sewage Retention Tanks as Part of Gowanus Canal Cleanup Public Encouraged to Provide Comments

Contact: Elias Rodriguez, (212) 637-3664, rodriguez.elias@epa.gov

(New York, N.Y. – April 14, 2016) The U.S. Environmental Protection Agency (EPA) has announced a proposed agreement with the City of New York that establishes the location for two sewage and storm water retention tanks, included as part of the cleanup for the Gowanus Canal Superfund Site. The agreement sets out a schedule for the design of the larger of the two tanks. It also requires New York City to undertake activities to prepare that location for the tank installation, and to pay EPA oversight costs. Prior to finalizing the agreement with New York City, the EPA is accepting public comments. The proposed administrative settlement agreement and order released today allows New York City to locate an eight million gallon retention tank in New York City’s preferred location, known as the “Head-of-Canal” location, but it also holds the city to a strict schedule. The EPA can require New York City to place the tank in the Thomas Greene Park location instead, if certain activities do not occur on schedule, including if New York City is not able to acquire the land at the Head-of-Canal location within approximately four years. The EPA is accepting public input on the work contained in the proposed agreement for the next 30 days and will have a public meeting on April 25 to discuss the work being secured under the agreement.

“Cleaning up the Gowanus Canal is a daunting task which not only involves dredging toxic sediment, but also building huge retention tanks to reduce the amount of raw sewage that flows into the canal,” said Judith A. Enck, EPA Regional Administrator. “Getting these tanks installed is a key component of the cleanup. The New York City Parks Department prefers not to have a large sewage retention tank permanently located in a city park. The EPA is also committed to preserving urban parkland and therefore spent time working with the City of New York about an alternate location. This proposed location meets the EPA’s twin goals of cleaning up the canal while also protecting urban parkland.”

More than a dozen contaminants, including polycyclic aromatic hydrocarbons, PCBs and heavy metals

such as mercury, lead and copper, were found at high levels in the sediment in the Gowanus Canal. PAHs and heavy metals were also found in the canal water. PAHs are a group of chemicals that are formed during the incomplete burning of coal, oil, gas, wood, garbage or other organic substances. PCBs were used as coolants and lubricants in transformers, capacitors and other electrical equipment, and their manufacture was banned in 1979. PCBs and PAHs are suspected of being cancer-causing and PCBs can have neurological effects, as well. To this day, people can still be found fishing in the Gowanus, despite advisories about not eating fish from the canal. In 2010, the Gowanus Canal was added to EPA's Superfund list of the nation's most contaminated hazardous waste sites.

The EPA's cleanup plan requires that New York City construct two sewage and storm water retention tanks to significantly reduce CSO discharges from two key locations in the upper portion of the canal. These discharges are not being addressed by current New York City upgrades to the sewer system. Without these controls, contaminated sewage discharges would re-contaminate the canal after its cleanup. In its cleanup plan the EPA estimated that a reduction of 58% to 74% of these discharges will be needed to maintain the effectiveness of the cleanup, and the new tanks are being designed to achieve that goal.

The EPA issued its final cleanup plan for the Gowanus Canal Superfund site on September 27, 2013. The cleanup includes dredging contaminated sediment that has accumulated on the bottom of the canal as a result of industrial and sewer discharges. The dredged areas will be capped. The plan also includes controls to prevent combined sewer overflows, or CSOs, and other land-based sources of contamination from compromising the cleanup. Under administrative orders with the identified potentially responsible parties, the EPA is currently conducting and overseeing engineering design work needed for the site cleanup. The canal design work is expected to continue for another two years, followed by the start of cleanup operations, which the EPA expects will be initiated at the 4th Street basin and the top of the canal in 2019.

The EPA's cleanup plan assumed possible locations for the two tanks, both owned by New York City -- the Thomas Greene Park location for the larger tank at the top of the canal and the Department of Sanitation salt storage lot located at 2nd Avenue and 5th Street for the smaller tank in the middle of the canal. The cleanup plan specified that the final locations would be determined during the design phase of the project. The EPA and New York City have already agreed that one tank, with a capacity of four million gallons, will be located at the Department of Sanitation salt storage lot.

For the larger eight million gallon tank at the top of the canal, New York City proposed as its preferred location two adjacent properties on Nevins Street between Butler and DeGraw Streets. The EPA and New York City agreed to locate the larger tank at this Head-of-Canal location. The agreement also requires the City to carry out actions to prepare that site for installation of the tank, including removal of

contaminated soil.

This site selection decision is contingent on New York City meeting certain conditions that have been detailed in the proposed agreement. If these conditions are not met within timeframes specified in the agreement, EPA can require New York City to design the tank for construction at the Thomas Greene Park location. Under the agreement, New York City will work concurrently on tank designs for both locations, as a contingency.

The agreement between EPA and New York City aims to avoid a potential permanent loss of parkland at the Thomas Greene Park. The park, which includes a swimming pool, is important to the community, with 40,000 visitors in 2015. The Head-of-Canal location is expected to provide additional open space in the community.

The EPA will hold a public meeting on April 25 at P.S. 32 located at 317 Hoyt St., Brooklyn, N.Y. at 6:30 p.m. to explain the work being secured under the agreement and is encouraging public comments. Comments will be accepted until May 16.

Additionally, comments can mailed or emailed to:

Walter Mugdan, U.S. EPA Superfund Director
290 Broadway, Floor 19, New York, N.Y., 10007
mugdan.walter@epa.gov

To read the agreement between the EPA and New York City, please visit:

<https://www3.epa.gov/region02/superfund/npl/gowanus/>

or visit EPA's document repository located at the Carroll Gardens Library at 396 Clinton St. in Brooklyn, New York.

16-015

290 Broadway, New York, NY 10007-1866 - www.epa.gov/region2

News Release

EPA Region 2 - New Jersey, New York, Puerto Rico,
U.S. Virgin Islands, and Eight Federally Recognized Indian Nations



EPA Extends Public Comment Period on Proposed Locations for Two Sewage Retention Tanks as Part of Gowanus Canal Cleanup

Contact: Elias Rodriguez, (212) 637-3664, rodriguez.elias@epa.gov

(New York, N.Y. – April 26, 2016) The U.S. Environmental Protection Agency has extended the public comment period for its proposed agreement with the City of New York that establishes the location for two sewage and storm water retention tanks, included as part of the cleanup for the Gowanus Canal Superfund Site to **May 31, 2016**. The original public comment period for the draft agreement was scheduled to end May 16, but the EPA is extending the comment period in response to a request from the public.

On April 14, 2016, the U.S. Environmental Protection Agency announced a proposed agreement with the City of New York that establishes the location for two sewage and storm water retention tanks, included as part of the cleanup for the Gowanus Canal Superfund Site. The proposed administrative settlement agreement and order allows New York City to locate an eight million gallon retention tank in New York City's preferred location, known as the "Head-of-Canal" location, but it also holds the city to a strict schedule. The EPA can require New York City to place the tank in the Thomas Greene Park location instead if certain activities do not occur on schedule, including if New York City is not able to acquire the land at the Head-of-Canal location within approximately four years. The EPA held a public meeting in Brooklyn on April 25, 2016 to explain the proposed plan.

Written comments may be mailed or emailed to:

Walter Mugdan, U.S. EPA Superfund Director
290 Broadway, Floor 19, New York, N.Y., 10007
mugdan.walter@epa.gov

To read the proposed agreement between the EPA and New York City, please visit:

<https://www3.epa.gov/region02/superfund/npl/gowanus/> or visit EPA's document repository located at the Carroll Gardens Library at 396 Clinton St. in Brooklyn, New York.

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**RESPONSIVENESS SUMMARY
APPENDIX 2**

APRIL 25, 2016 PUBLIC MEETING TRANSCRIPT

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PUBLIC MEETING
OF THE
U.S. ENVIRONMENTAL PROTECTION AGENCY
AT
P.S. 32
317 HOYT STREET
BROOKLYN, NEW YORK
MONDAY, APRIL 25, 2016
6:30 P.M.

1 P R E S E N T:

2 From the EPA:

3 Walter Mugdan

4 Berry Shore

5 Tom Lieber

6 Christos Tsiamis

7 Natalie Loney

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1 P R O C E E D I N G S

2 (Time noted: 6:30 p.m.)

3

4 MS. LONEY: Good evening, everyone. My
5 name is Natalie Loney. I'm a client involvement
6 coordinator with the Environmental Protection
7 Agency; and with me is Walter Mugdan.

8 Walter is the head of the Superfund
9 Division in the Environmental Protection Agency
10 Region 2.

11 In the front row here is Christos
12 Tsiamis. Christos is the regional project manager
13 on the Superfund site. And next to Christos is Tom
14 Lieber. Tom is one of the site's attorneys.

15 The premise of tonight's meeting, we're
16 having a public meeting on the proposed settlement
17 agreement regarding the design and site preparation
18 for RH034, which is the head of the Canal.

19 This is a public meeting; and as such,
20 we have a stenographer here recording. So there
21 will be an opportunity after the presentation for
22 questions and answers.

23 This is a working microphone, so if you
24 have a question or comment, we will be passing
25 around note pads for your name to be placed on it,

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2 and will be calling out names accordingly. You
3 will have to come to this side of the room. The
4 microphone doesn't stretch that far, so I'll ask
5 you to come to this side of the room to ask your
6 questions and make your statements.

7 And because of the number of people and
8 the limited amount of time, we would ask that you
9 limit your comments to about three minutes,
10 maximum.

11 So I will turn the microphone over to
12 Walter Mugdan for the presentation, after which
13 will be the question and answer.

14 MR. MUGDAN: Thank you, Natalie. As
15 Natalie said, this meeting is a little different
16 from some of the other meetings that I've been at
17 with respect to the Gowanus Canal. The real
18 purpose of today is to hear from you. I will give
19 a short presentation about the settlement agreement
20 and order that EPA proposes to enter into with the
21 City of New York.

22 And the comment period was opened on
23 April 14, when we announced this proposed
24 agreement. The comment period extends to May 16.
25 You're certainly invited to make comments here this

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2 evening, as Natalie said, but you're also
3 encouraged and invited to make written comments;
4 and at the end of the presentation on the screen we
5 will have my mailing address and e-mail address to
6 which the comments can be directed.

7 So, again, we apologize for the small
8 screen. The school indicated they would be able to
9 bring a larger screen down but they were not able
10 to do so. If you are having difficulty seeing it,
11 please feel free to move closer to the front of the
12 auditorium.

13 As Natalie said, the purpose is to talk
14 about the proposed EPA administrative settlement
15 agreement and order regarding the siting, design
16 and site preparation for the RHO34 combined sewer
17 overflow retention tank.

18 Briefly, to remind you of the project
19 history, most of you lived it. I will run through
20 this quickly. The Gowanus Canal was placed on the
21 national priorities list of Superfund sites in
22 March 2010. Our first major step after that was to
23 complete the remedial investigation to determine
24 the nature and extent of the contamination. That
25 was completed by January 2011. I know it may not

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2 feel that way to you, but the dates that you see
3 here, the sequence of events were actually quite
4 quick by Superfund terms.

5 The next step after that was a
6 feasibility study in which we evaluated various
7 engineering options for addressing problems that
8 had been identified in the remedial investigation.
9 That was completed in December 2011.

10 Thereafter, we came forward, again in a
11 community meeting such as this, on the record, with
12 a proposed clean-up plan. That was in December
13 2012. Then, we took public comment and got a great
14 deal of comment, and evaluated those comments and
15 prepared a detailed response and summary, and came
16 up with our final decision in a document called the
17 Record of Decision, and you'll see that abbreviated
18 as ROD, or Rod, as we go through the presentation.
19 That was in late September 2013.

20 The next working day after that ROD was
21 issued the government was shut down for two weeks.
22 Then, after that we initiated discussions with the
23 various responsible parties; or, as we previously
24 called them, potentially responsible parties. You
25 may hear that abbreviated as PRPs. And we entered

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2 into discussions with them to request that they
3 agree to carry out the remedial design, the actual
4 design of how the work called for in the ROD would
5 be carried out.

6 We were not able to reach consensual
7 agreement at the time with the PRPs. We instead,
8 in early 2014, spring 2014, we issued two, what we
9 call unilateral administrative orders, where
10 unilateral simply means it's not consent, it's
11 simply EPA issuing an order to the responsible
12 parties directing them to carry out certain steps.

13 Last year, spring and summer of 2015,
14 the EPA carried out a pilot project to evaluate the
15 success of something called "in situ sediment
16 stabilization," which is a way of solidifying the
17 mucky sediment at the bottom of the Canal, the
18 contaminated sediments there actually concretized
19 them. That project was successful.

20 Next slide.

21 (Indicating screen projection.)

22 So, again, as a reminder, most of you
23 are very familiar with this. It's an aerial
24 photograph of this section of Brooklyn, showing the
25 Gowanus Canal project area circled in red. You can

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2 see the yellow line, the flushing tunnel at the
3 head of the Canal, and it brings fresh water from
4 Buttermilk Channel to the head of the Canal.

5 Next slide, please.

6 So, as I said, we issued the record of
7 decision or ROD in December of 2013. It required
8 certain elements, basically selected dredging and
9 capping with in situ stabilization of certain
10 sediments in the Canal; and the cap itself was
11 going to be a three layer cap that fulfills various
12 objectives.

13 The remedy also includes excavation of
14 the First Street basin, one of the turning basins
15 that was built into the Canal originally that
16 subsequently was filled in.

17 And the ROD also calls for and depends
18 upon source controls; source in this case simply
19 means the source of the contamination as it entered
20 the Canal historically or is continuing today and
21 entering the Canal.

22 Chief among those are three former
23 manufacturer gas plants, or MGPs. These are plants
24 where in the 19th and 20th centuries coal was
25 turned into gas for gas lighting and things of that

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2 sort. These three facilities and others like them
3 all around the country left behind a residue called
4 coal tar, which is heavily contaminated with
5 polycyclic aromatic hydrocarbons, or PAHs, and that
6 is one of the chief contaminants in the Canal; by
7 no means the only one, but certainly the most
8 ubiquitous and in the highest concentrations.

9 The actual cleanup of the MGP sites
10 themselves is under the jurisdiction of the New
11 York State Department of Environmental
12 Conservation, or NYSDEC.

13 Our ROD took into assumption, took into
14 account, that the MGPs would be cleaned up in
15 certain ways to limit or minimize the amount of
16 coal tar that continues to enter into the Canal.
17 Obviously, they don't want to clean up the Canal
18 only to have it be recontaminated.

19 And that brings us to the last bullet
20 there under source controls, CSOs, Combined Sewer
21 Overflows. Older sewer systems like that in New
22 York and many other older cities were designed
23 intentionally with a single pipe carrying both the
24 sewage from homes and businesses, from toilets or
25 sinks and so forth; and the same pipe would also

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2 carry rain water when it rains.

3 And the pipes and the treatment plants
4 at the end of the pipes were designed to be big
5 enough to manage the sewage, but they were nowhere
6 big enough to manage the sewage plus rain water
7 when it rained.

8 So these systems were designed at low
9 points, near the harbors, rivers and bays, there
10 was an overflow. And when it rained over a certain
11 amount the pipe was full and the excess sewage and
12 rain water mixture would go into the nearest
13 waterway.

14 And there were a number of those CSO
15 discharge points along the two mile length of the
16 Gowanus Canal. Several of them have already been
17 addressed, diverted in some other ways. There are
18 still two very significant ones or larger ones.
19 One is known as OH007, sort of in the middle of the
20 Canal; and the other one is the RH034 discharge
21 point that you saw in the title of our presentation
22 here. That's at the very, very end of the Canal.

23 We also have a ROD called Institutional
24 Controls, recognizing that even with all the other
25 work, there will not be pristine water. And one of

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2 the instituted controls to remain in place, fish
3 advisories, advising people not to eat or consume
4 the fish or crabs caught in the Canal.

5 And we anticipate those will stay in
6 place for some time.

7 Next slide.

8 Again, this map shows the location of
9 the former MGPs, manufacturer gas plants, and the
10 various CSO discharge points; a little hard to see.

11 (Indicating.)

12 Down at the bottom, the Canal
13 metropolitan, former MGPs, now the site of the
14 Lowe's. In the middle is the citizen gas works,
15 that's the future site of what's called Public
16 Place. And at the head end up there was the Fulton
17 former MGP.

18 Part of that, directly underneath, the
19 swimming pool of the Thomas Greene Park, and other
20 portions were a little closer to the Canal or right
21 adjacent to the Canal, and a little south of, I
22 guess Degraw Street -- south of Degraw Street was
23 another source of coal tar contamination.

24 Again, the little blue numbers you see
25 along the way here are the numbers that designate

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2 the CSO discharge points. You see quite a few of
3 them, but the two I mentioned earlier, the large
4 ones, those are the ones we primarily are focusing
5 on.

6 Next slide.

7 (Indicating.)

8 Again, as I mentioned, the former MGPs
9 are being addressed, evaluated by the New York
10 State DEC. For the Fulton manufacturer gas plant
11 site, the one at the head of the Canal, the remedy,
12 what the state called for there requires a cut-off
13 wall to be installed between the land and the
14 Canal, the base along the boundary of the Canal.

15 That cut-off wall made out of sheet
16 pilings, it will go very, very deep into the
17 ground, and the piles will be sealed -- and the
18 purpose there is to block the flow of coal tar from
19 the land into the Canal.

20 Another element is the removal of major
21 mobile coal tar sources. And the state calls for
22 this to be done when a property is redeveloped. So
23 the state, as a matter of general approach to MGP
24 plants all over the place, doesn't require
25 ordinarily that existing buildings be torn down as

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2 soon as the state reaches the remedy decision, so
3 that the ground can be dug up and the coal tar
4 removed.

5 What the state typically does is say
6 when the time comes that the current property owner
7 or future property owner wants to develop anyhow,
8 that is the moment when the responsible party has
9 to go in and remove the coal tar contamination to a
10 certain depth, when it appears at certain levels.

11 And in this case the state would also
12 require, has also required recovery wells to be
13 placed alongside and inboard, landward of the
14 cut-off wall. These are wells placed at the ground
15 into which the coal tar can seep and then it can be
16 removed, pumped out from those wells.

17 Such wells already exist, for example,
18 on the Lowe's property, where one of those MGPs was
19 located.

20 The EPA has decided that we're going to
21 require removal of coal tar contaminated soil from,
22 among other locations, beneath Thomas Greene Park.
23 As I said, under the state record of decision for
24 the Fulton MGP site, the state would not call for
25 that to happen until and unless there was going to

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2 be redevelopment or reconstruction or some other
3 kind of restoration of the park. And but for our
4 decision here, that might be a number of years.

5 Our objective is to get that heavy
6 concentration of coal tar that is beneath the
7 swimming pool portion of Thomas Greene Park, the
8 western portion of the property, we need to get
9 that out, because that is an ongoing continuing
10 source of coal tar contamination moving westward
11 through the ground and underground and into and
12 below the Canal.

13 So we're going to require that work to
14 be done. The entity responsible, legally
15 responsible, for the coal tar contamination
16 associated with these three MGP sites, plants, is
17 National Grid. National Grid wasn't around when
18 these manufacturer gas plants were operating. What
19 happened was, the manufacturer gas plants in the
20 early 1900s, all of them were separate companies.
21 They were assembled into a single company called
22 Brooklyn Union Gas, the union of all these
23 different companies; BUG.

24 BUG was bought in the early 1990s by
25 Keyspan. So Keyspan inherited the legal liability

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2 for those manufactured gas plants. And National
3 Grid purchased Keyspan in the early 2000s.
4 National Grid owns the legal liability for the
5 manufacturer gas plants that operated many, many
6 decades ago.

7 We're going to require that coal tar
8 removal to take place in the park, in any event.

9 Next slide.

10 As I mentioned at the outset, we also in
11 the ROD decision, we called for CSO to be
12 controlled, specifically these two large discharge
13 points, 007 and 034. The picture above is the
14 famous YouTube video of the poo-nami, as it's
15 called. You can see a line of brown sludge moving
16 down from the head of the Canal. This is during a
17 rainstorm. And as rain came suddenly, the pipes
18 were overwhelmed and this combination of rain water
19 and sewage comes out and moved down with it.

20 Over the years these combined overflows
21 deposited a lot of solids, a lot of sediment near
22 the discharge points coming out of sewers. It's
23 sewage, it's leaves and whatever else, debris that
24 might get into the pipes when it rains.

25 And they created sediment mounds where

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2 those discharge points are located, so that at low
3 tide some of those mounds are actually above the
4 surface of the water, and therefore they create a
5 very noxious odor.

6 Next slide.

7 As mentioned, source control, an
8 important part of the record of decision. The most
9 dominant source of ongoing contamination to the
10 Canal are those three former manufacturer gas plant
11 sites. So coal tar continues to move from the land
12 into the Canal.

13 However, our concern is that once we
14 have asked National Grid and other responsible
15 parties to spend a great deal of money, close to a
16 half billion dollars, to clean up the Canal, we
17 don't want it to get recontaminated even by
18 relatively lower levels of ongoing contamination.

19 THE CSO discharges do carry with them
20 lower, but still of significance, lower levels of
21 PAH contamination, as well other as other
22 contaminants.

23 So for that reason, in order to protect
24 the integrity of the remedy that otherwise we would
25 be calling for in the Canal itself, we needed to

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2 control the sources, the main big sources of the
3 coal tar, but also the anticipated future continued
4 sources of CSO discharge.

5 So, when we wrote the record of
6 decision, we said we were calling for inline
7 retention tanks at those two discharge locations
8 that I named earlier. We assumed that the 007 CSO
9 discharge point would have a 4 million gallon
10 retention tank, and it would be located on the
11 Sanitation Department lot, a salt storage lot site
12 in the middle of the Canal.

13 And for RH034, the discharge point at
14 the head of the Canal, we assumed an 8 million
15 gallon tank located on the west side of Thomas
16 Greene Park. We identified that as a plausible
17 location for the RH034 tank. We called it a
18 potentially suitable location because of the
19 synergies between the anticipated need to excavate
20 underneath the swimming pool anyhow, in order to
21 remove the coal tar contaminated soil that's there.

22 So, as we were thinking about writing
23 the record of decision, we said to ourselves, we'll
24 have to disrupt the park anyhow to get the coal tar
25 contaminated soil out. The City owns the property,

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2 it seems like a plausible location for the tank to
3 be placed. We assumed it was going to be placed
4 there.

5 The tank locations were, according to
6 the record of decision, the tank locations would be
7 finalized during the design phase, and that's what
8 brings us here tonight.

9 Next slide.

10 So, 007, a 4 million gallon tank -- by
11 the way, parenthetically, we at the EPA have
12 decided that the size of these two tanks will be 4
13 million gallons and 8 million gallons, as the ROD
14 assumed.

15 We had discussions with the City of New
16 York about that. There was arguments that perhaps
17 they could be smaller, questions about whether they
18 needed to be larger. We concluded that a careful
19 evaluation of those sizes that we assumed in the
20 record of decision are appropriate, and that's one
21 of the decisions we've now made.

22 As I said, for 007 there really is no
23 dispute about the location. But for 034, two
24 different locations were ultimately in contest.
25 Here in this chart --

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2 (Indicating.)

3 -- you can see 007, the location is this
4 triangular piece of property, it's right where the
5 Canal takes an S bend, sort of in the middle of the
6 Canal.

7 For 034, the lower diagram there, the
8 map, you see the cross-hatched area overlaid above
9 Thomas Greene Park, that's the site that we assumed
10 in the record of decision, for planning purposes
11 and so on, where that tank would go.

12 Next slide.

13 (Indicating.)

14 So, in the 2014 unilateral
15 administrative orders that we issued, one of those
16 orders to the City of New York covered design and
17 site selection for the CSO tanks. It also covered
18 design of the excavation of the First Street
19 turning basins.

20 As to evaluating sites, we directed the
21 City to go through an evaluation and to report by
22 June 30, 2015 on what sites the City proposes for
23 these two tanks.

24 As I said, for 007, the City did propose
25 the Sanitation Department salt storage lot. And

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2 that is the same location that we had assumed. And
3 the design of that tank for that location will
4 continue under the unilateral administrative order.
5 That's not affected by the settlement agreement and
6 order that we are proposing now and taking public
7 comments on.

8 For RH034 the City proposed what's
9 called the head of Canal location. That's on
10 Nevins Street between Butler and Degraw,
11 essentially immediately adjacent to the Canal, at
12 the head of the Canal.

13 Next slide.

14 So, the City was proposing a site
15 different from the one we had assumed. Then we
16 started to carefully consider the pros and cons,
17 the benefits and drawbacks of these two alternative
18 sites; the park site that we had assumed in the
19 record of decision, and the head of Canal site the
20 City said it strongly preferred.

21 We had a couple of meetings at which the
22 public was invited to be present, and many, many
23 members were present, in which we discussed these
24 issues. The first was October 26, 2015, Community
25 Board 6 meeting.

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2 I was there, spent about an hour, hour
3 and a half, discussing some of the benefits and
4 drawbacks that we saw, and what kinds of evaluation
5 details to be carried out.

6 And January 19, this year, I also
7 attended a meeting of the community advisory board,
8 CAG, and spoke there. Again, there were many
9 members of the CAG there, but also members of the
10 public were present.

11 Of course, we've had extensive
12 discussions and as evidenced from the proposed
13 order, detailed negotiations with the City of New
14 York. We also consulted with our partners in the
15 New York State DEC about the tank site.

16 Next slide.

17 So again, this is an aerial photograph
18 of the head of Canal area. The two yellow outlines
19 are the two sites that have been in contention for
20 the larger of the two tanks, 8 million gallon tank.

21 On the lower half of the L, there is the
22 park location, basically right underneath where the
23 pool is one of the major sources of coal tar, as
24 mentioned earlier. That yellow outline is about
25 the size of the necessary 8 million gallon tank.

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2 And the vertical part of the L represents two
3 privately owned parcels, each one is about half
4 that rectangle in size. And that would be the head
5 of Canal location the City has strongly advocated.

6 We will come back to that photograph
7 later, probably have it up during the public
8 comment portion of the meeting tonight so anybody
9 who wants to who has questions can allude to it.
10 You will see it again.

11 Next slide.

12 So, these are things that I said in the
13 previous two meetings that I mentioned to you, in
14 other documents that are in the administrative
15 record. The EPA believed and continues to believe
16 that construction of the RH034 tank at the park
17 location could be done more quickly, more easily
18 and at less expense than the head of Canal
19 location.

20 But, the EPA also strongly understands
21 the City's strong policy reasons for avoiding a
22 longer than necessary disruption and the potential
23 permanent loss of space at the Thomas Greene Park
24 site if the tank were placed there, and the City
25 plans associated with the tanks, the head house,

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2 which is an above ground structure that has various
3 equipment in it, including air cleaning equipment
4 to prevent odors and so forth.

5 And the City felt if the tank were going
6 to be placed into the park, then the head house
7 would be right above it in the park and would
8 occupy permanently a segment of space in the park.

9 After considerable discussion and back
10 and forth, the EPA advised the City -- this is in
11 late October of 2015 -- that we would be prepared
12 to accept the head of Canal location under certain
13 conditions. And one of those conditions was that
14 the City enter into an administrative consent
15 settlement with the EPA for the design and certain
16 site preparation work associated with its preferred
17 site -- both sites, as I will explain in a minute
18 -- but this consent agreement or settlement
19 agreement would replace the unilateral
20 administrative order for the purposes of the RH034
21 tank.

22 For reasons that I'll allude to in a
23 minute, that was an extremely important element for
24 EPA and we judged that to be a very valuable
25 element. So that was one important condition.

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2 A few other elements or conditions that
3 I will go into in a moment. But we negotiated with
4 the City of New York starting in November and
5 running up until, basically, April 14. On April
6 14 -- by late March we had come to agreement on all
7 the words in the document. And by April 14 we had
8 on the document the signature of Emily Lloyd, the
9 Commissioner of the New York City Department of
10 Environmental Protection.

11 EPA has not yet signed or executed the
12 administrative order. Starting with the receipt of
13 Commissioner Lloyd's signature on the document, we
14 then made public this proposal. And that's when we
15 opened the public comment period.

16 We've been asked by the community
17 advisory group to have a public comment process
18 associated with this decision. So, in response to
19 that request we have opened this public comment
20 period. The order therefore is not yet final, it's
21 a proposed order.

22 EPA, I will make it very clear, we
23 believe this is a favorable outcome for us. We are
24 prepared to move forward with it and proceed with
25 it. The negotiations were extensive and tough on

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2 both sides. We believe it's a fair outcome. So
3 we're not likely going to walk away or change it,
4 but this is your opportunity to tell us if you
5 think we are making a mistake or we've done
6 something wrong, or if you have a better mousetrap,
7 this is your opportunity to tell us.

8 Certainly we will keep an open mind and
9 carefully consider all of the comments that we
10 receive. After the end of the comment period we'll
11 evaluate those and make a decision.

12 There are three basic decisions that
13 could be made. We can proceed with the document as
14 drafted, in which case I, or whoever then sits in
15 my chair, will sign it, and it will become a final
16 order of the EPA.

17 Or, we can propose that the City of New
18 York changes the document, and see whether the city
19 accepts those changes; in which case we can
20 finalize it with changes that respond to public
21 comments.

22 Or, we can conclude that there is no
23 deal; and I believe the City and us can walk away
24 from the deal.

25 So those are the three possible outcomes

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2 of this public comment process.

3 As I said, we announced the agreement on
4 April 14. The comment period is open to May 16.
5 And at the end, we will give you locations of
6 e-mail and for snail mail for your comments.

7 Next slide.

8 So, here's the elements of the proposed
9 agreement, key elements. It's an extraordinarily
10 complicated document. I was talking with Tom
11 Lieber, who's the chief of the New York Superfund
12 branch in our office, regional counsel, and he and
13 I both have been in this program for decades.

14 This is as complicated an administrative
15 order on the Superfund program as we have ever been
16 involved in. It's extraordinarily detailed and
17 intricate; and one of the reasons is because of the
18 extremely high importance of actions by National
19 Grid and actions by the City of New York to be
20 coordinated. And that is a challenging prospect,
21 but it's essential for the success of this.

22 By the way, it's important, irrespective
23 of the location of the tank, it is probably even
24 more important for the City's proposed location at
25 the head of the Canal.

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2 Here's what the agreement involved.

3 This agreement identifies the head of
4 Canal location for the RH034 tank and requires the
5 city to design the tank for that site.

6 But -- and this was another key
7 condition we presented to the City -- it requires
8 the city to simultaneously design an 8 million
9 gallon tank for the park location as they
10 continued.

11 Importantly, it requires the City of New
12 York to carry out Superfund removal activities to
13 remove contaminated soil and to prepare the head of
14 Canal location for the tank. An 8 million gallon
15 tank is a very large tank, has a large footprint.

16 And within that footprint, the city is
17 obliged to dig it out in order to place the tank
18 there, and it is very likely that among the areas
19 that they'll have to dig out coal tar contaminated
20 soil. There may also be soil contaminated with
21 other pollutants, other than coal tar.

22 So the City is obligated under this
23 order to remove and manage the coal tar
24 contaminated soil and other soil as well, even
25 though National Grid is legally responsible for the

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2 coal tar contaminated soil.

3 The reason for this distinction is that,
4 within the footprint of the tank, it's essential in
5 our judgment that the City of New York, which is
6 going to build the tank, has to have control over
7 the perimeter of the tank and the hole dug within
8 it.

9 You can't have somebody else, a
10 contractor coming in there and digging out the soil
11 to try and create the hole into which the City tank
12 will go.

13 So the costs of this as between the City
14 and National Grid will be probably worked out in
15 some way that we don't necessarily need to be part
16 of; but National Grid may have to pay the cost of
17 dealing with coal tar contaminated soil, but it
18 will be the City contractors and the City's legal
19 responsibility under this agreement to do the work
20 within the footprint of the tank.

21 Outside the footprint of the tank,
22 because the tank will not cover the entire two
23 parcels we talked about -- outside the footprint of
24 the tank, any coal tar contaminated soil that is
25 necessary to remove under the state's decision,

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2 that will be done by National Grid. And it has to
3 be done first. So this is where I say the
4 sequencing becomes important.

5 So the first step is that National Grid
6 digs out the soil that's contaminated with coal tar
7 outside the footprint of the tank. The second is
8 that the City has to dig out the contaminated soil
9 and any other soil within the footprint of the
10 tank.

11 So that's the Superfund removal activity
12 called for under this order. It goes beyond the
13 design functions and it carries out the site
14 preparation function.

15 The second to last bullet there, the
16 order establishes a schedule for the property
17 acquisition that the City has to carry out -- the
18 privately owned parcels. The City has to acquire
19 title to those in some manner or -- there's various
20 ways that could happen, but the City has got to do
21 it.

22 And that includes the City going through
23 what's called the ULUR process; Uniform Land Use
24 Review Process -- and also, the environmental
25 review process under the City's environmental

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2 quality review, CEQR.

3 Under this order, the agreement that we
4 negotiated, the acquisition must occur by April
5 2020. That's a long time, four years away. As I
6 said, we recognize that this process -- I'm going
7 to the head of Canal location -- will in our
8 judgment take longer than if we went to the park
9 location.

10 So the City has countered and said, even
11 in the park location, the City believes it would
12 need to go through the ULUR and CEQR processes;
13 and, moreover, the City felt it would probably have
14 to go through what's called a park land alienation
15 process; which requires going to the state
16 legislature and asking the state legislature to
17 approve the change of use, either temporarily or
18 permanently, of park land to some other use,
19 secondary use.

20 The EPA didn't necessarily agree as a
21 matter of law with the City's conclusion on that,
22 but the EPA did acknowledge that this created a
23 series of uncertainties and even the possibility of
24 litigation at the park site; just as we know that
25 these processes have to be carried out at the head

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2 of Canal location.

3 So, although we believed and continue to
4 believe that the park location could be done
5 faster, we recognize that there was a considerable
6 amount of uncertainty and the possibility for
7 litigation.

8 Nevertheless, the order also says that
9 if the City fails to meet specified scheduled
10 events -- we call them milestones -- on the way
11 from here, now, to April 2020, then EPA may require
12 the City to pivot -- that's the word we invented
13 for this process -- to pivot from the head of Canal
14 location to the park location. And it is to
15 protect the schedule for that possibility that we
16 have required that both designs be carried out
17 simultaneously.

18 So if the pivot is necessary at some
19 point, then one doesn't lose a great deal of time;
20 lose some time probably, but not a great amount of
21 time.

22 Next slide.

23 So, as I alluded to, the schedule dates
24 for some of the New York City obligations under
25 this proposed agreement follow actions that are

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2 going to be taken by National Grid that are related
3 to its obligation to remove coal tar contaminated
4 soil. And that's true for both locations.

5 As I said, there is coal tar
6 contaminated soil in both locations, and so Grid
7 will have obligations at both locations. So Grid
8 has to do its work first before the City steps in
9 and picks up its work.

10 EPA's expectation and intention is that
11 we will enter into an administrative order with
12 National Grid that will require the removal
13 actions, removal work to be taken at both
14 locations.

15 In this agreement that we're here
16 talking about tonight, the City is obligated to
17 cooperate and coordinate with National Grid in
18 Grid's performance of that work, including,
19 importantly, the siting and creation of a temporary
20 pool and associated facilities that will have to be
21 built and operated, built before the existing pool
22 starts to be dismantled.

23 We will insist and insure that a
24 temporary replacement pool exists before the
25 current existing pool is dismantled. That pool

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2 then has to be dismantled and the coal tar
3 contaminated soil has to come out from below the
4 pool area.

5 Assuming that the tank doesn't pivot
6 that to the park location and that the tank is
7 built as planned now at the head of Canal location,
8 then it will be Grid's obligation to rebuild the
9 pool and work with the City to rebuild the pool.

10 Actually, that obligation will exist in
11 either circumstance. Because even if the tanks are
12 placed at the pool location, the likely outcome
13 would be that a pool might be placed above the
14 tank.

15 So Grid has to create a temporary pool
16 and then has to participate in or pay for or assist
17 in the creation of a new pool after the work is
18 completed.

19 The City and National Grid in effect
20 will share responsibility for the removal work at
21 the head of Canal location. This is what I was
22 talking about a moment ago. Grid will do the work
23 outside the footprint of the tank; the City will do
24 the work inside the footprint of the tank.

25 Next slide.

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2 So, the proposed agreement does
3 memorialize for the first time New York City's
4 commitment -- sorry --

5 What I want to say here is, memorialize
6 the City commitment to a future settlement to
7 perform maintenance dredging if deemed necessary to
8 remove any CSO related sediments, contaminated
9 sediments, that accumulate after the Canal remedy
10 is put in place, but before the CSO tank is
11 constructed.

12 Because of the schedule, it now takes us
13 through four more years -- as much as four more
14 years, it might be faster -- before the tank design
15 is completed, the acquisition of the property is
16 carried out. And only then can the site
17 preparation work and the CSO tank construction work
18 begin. It's possible, even likely, very likely,
19 that the CSO discharge will be continuing without
20 the benefit of the tank for some period of time
21 after the Canal remedy at the head of the Canal has
22 been completed.

23 If that causes contaminated sediment
24 coming out of the CSO discharge to accumulate on
25 top of the now cleaned Canal, and if we judge that

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2 removal of those sediments is necessary to protect
3 the Canal remedy, the City will be obliged to do
4 that, has committed to do that under a future
5 settlement to be negotiated over the next years.

6 This agreement that we're proposing here
7 today does include what we call stipulated
8 penalties for the City's failure to comply with
9 certain elements of the order.

10 Stipulated penalties are just that. If
11 a certain kind of violation or certain type of
12 non-compliance occurs, EPA can demand that the City
13 pay a fine, a penalty. And this creates an
14 incentive, I think a pretty strong incentive, for
15 the City to remain on schedule once the order is
16 put in place.

17 That is not the case under the
18 unilateral administrative order. EPA has, under
19 the law, very strong enforcement authority with
20 which we can answer a failure to comply with the
21 unilateral administrative order.

22 There are also some downsides, and some
23 drawback elements to exercising those authorities.
24 In our judgment, having a consensual agreement
25 which involves stipulated penalties is a more

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2 desirable form of enforcement for us to utilize.

3 The agreement also includes what we
4 consider to be a favorable dispute resolution
5 procedure. Under any agreement parties can differ,
6 parties can have disputes. Settlement agreements
7 the EPA enters into routinely have a dispute
8 resolution procedure.

9 The way in which that works is the
10 parties have a certain obligation to exchange
11 information about a dispute. Ultimately the
12 dispute rises up to a particular designated
13 official who makes a decision, and that decision is
14 final. In this agreement, that official is whoever
15 is sitting in the chair I now occupy; so the
16 Superfund Division Director of EPA Region 2.

17 As an expedited process, it's one that
18 the EPA controls and manages, and that's why we
19 think it's favorable.

20 Also, thank you Tom, I skipped over the
21 favorable force majeure provisions. Force majeure
22 is a legal concept that says some kinds of
23 non-compliance are beyond the ability of the
24 respondent to control.

25 And the question of what kinds of

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2 circumstances could give rise to that kind of force
3 majeure, which is something for which the
4 respondent ought not to be penalized, if it's
5 beyond their control, limiting what kinds of
6 circumstances are be considered force majeure.

7 It's important in these kind of
8 agreements -- and again, we feel it's a tightly
9 negotiated provision in this administrative order,
10 one we consider favorable and satisfactory.

11 The final bullet there. New York City
12 agrees to reimburse EPA for our oversight costs.
13 Our employees do not get paid a great deal, but
14 they do have to get paid, and our contractors have
15 to get paid.

16 And so having the ability to receive
17 reimbursement for those costs is an important
18 element in making it possible for us to devote the
19 necessary resources to this oversight process.

20 Next slide.

21 One of the most important elements, in
22 my judgment, of this proposed agreement is that
23 when it becomes effective, New York City agrees to
24 waive its right to any legal challenge on EPA
25 selection of CSO controls in the 2013 record of

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2 decision.

3 That includes challenges based upon the
4 differential of costs attributable to its choice to
5 move to the head of Canal location, which in our
6 judgment is likely, very likely, to be much more
7 expensive than the park location.

8 Now, the reason this is important to us
9 is because, under the Superfund law, if we were to
10 take an enforcement action against the City or any
11 other respondent to a unilateral administrative
12 order, and we go to court to seek penalties or to
13 seek what's called injunctive relief, requiring
14 respondents to come into compliance, pay a penalty
15 for their violations; the respondent at that point,
16 and only that point, has the legal right to
17 challenge EPA's remedy decision.

18 That's the first and only time a
19 respondent can challenge an EPA decision; only when
20 we choose to enforce it against them.

21 As you know, the inclusion of CSO
22 controls in the record of decision was
23 unprecedented the first time in Superfund
24 history -- there's only one other instance it's
25 occurred -- where CSO controls were included in the

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2 Superfund remedy. Normally, controls of CSOs is
3 the province of the water pollution program for the
4 federal and state governments.

5 We took the unusual and at that point
6 unprecedented step of including it in the Superfund
7 remedy, and the City of New York argued vigorously
8 that that was inappropriate.

9 I'm confident that if we have to enforce
10 the existing unilateral administrative order
11 against the City of New York for some reason, and I
12 hope we wouldn't be in that position, but if we did
13 and went to court to enforce it, and the City
14 challenged the inclusion of CSO controls in the
15 record of decision as being beyond the scope of the
16 Superfund program, I am confident we would prevail.

17 But that's the projection, it's an
18 informed guess. And when you go into litigation,
19 nothing is certain.

20 So, in my judgment, one of the most
21 important elements of getting this consensual
22 settlement agreement is that the City agrees from
23 now and forever, not just during this design phase,
24 but for the rest of this clean-up program, the City
25 agrees to waive its right to legally challenge the

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2 CSO elements of the record of decision.

3 That's a big concession on the part of
4 the City. It turned out the final item that we
5 negotiated was one of the conditions identified at
6 the beginning of negotiations, and by agreement
7 among the parties they agreed to leave it to the
8 very last step. Once everything else was
9 negotiated, then we came back to that and we fought
10 about that, and ultimately EPA was satisfied with
11 the outcome, and this is what we got.

12 This is the important reason why I'm
13 recommending to you, or commending to you, that
14 this agreement, notwithstanding what will be
15 disappointing to many of you here about the
16 extended schedule, it's nevertheless a very good
17 thing that in the long run is worth the price.

18 And the final bullet there. This
19 agreement there does reflect for the first time New
20 York City's willingness to implement the CSO
21 retention tanks as an element of this Gowanus Canal
22 clean-up.

23 As I said and you all know, the City
24 argued very vigorously that tanks were not
25 necessary and that they certainly shouldn't be part

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2 of the Superfund clean-up. Indeed, in the long
3 term control plan that the City submitted to the
4 State of New York on June 30, 2015, CSO retention
5 tanks are not part of that water pollution clean-up
6 program.

7 So, only the Superfund record of
8 decision calls for creation of these tanks, at this
9 moment. This is what makes it very important in
10 our judgment to get the settlement agreement
11 finalized.

12 Next slide.

13 Natalie will correct my e-mail there.

14 (Indicating.)

15 On the next slide -- in a moment we'll
16 go to the comments. And again, we will ask you to
17 -- Berry Shore has a list. We'll call out five
18 names at a time and ask you to come around to this
19 side, your right.

20 (Indicating.)

21 This is as far as the microphone moves.

22 MS. LONEY: Berry will come to the front
23 of the room. Anyone who wants to make a comment,
24 sign up. We will bring the list to you.

25 (Indicating.)

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2 MR. MUGDAN: Natalie is coming with the
3 list, we'll bring it around and get names. Once we
4 get names we'll ask people to line up and we'll
5 give everybody a chance to speak. We'll ask you to
6 try to keep yourself to about three minutes.

7 I remind the members of the CAG -- I see
8 many of you here -- I will be joining you at your
9 meeting tomorrow night. That is not a meeting on
10 the record the way this is here. There won't be a
11 court reporter. And I will be able at that point
12 to have a more fluid and dynamic interchange with
13 you, answer questions you may have.

14 The structure of this meeting tonight is
15 a little different, more formal. The purpose is to
16 put your comments on the record so that we can
17 consider them as we make our decision.

18 MS. LONEY: The first commenter.

19 MR. MUGDAN: When you comment, please
20 state your name, and if the reporter needs you to
21 spell it.

22 MR. KELLY: My name is Glen Kelly, I
23 live two blocks from here. And I want to encourage
24 the EPA to ignore the City's political maneuvering
25 and rely on the science they've used thus far, and

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2 reject this agreement.

3 And here's why.

4 About six or seven years ago when the
5 EPA arrived in Gowanus, no one was happier than I
6 was at the prospect of a thorough cleanup of the
7 Canal. But there were some in the community who
8 were sceptical, but the EPA overcame the scepticism
9 bu consistently and repeatedly demonstrating their
10 commitment and ability to do a thorough cleanup of
11 the Canal, finally.

12 I don't trust the City to do that. And
13 I think what they are doing here is creating a
14 boondoggle and making this project far more complex
15 and more expensive than it needs to be. And it
16 just is not going to work. I think they will make
17 this so big that it will be impossible for them to
18 finish it.

19 So I vote that you will stick with the
20 science. You came here and promised us a solution
21 to this problem, and I think this agreement will
22 allow the City to become a problem to the solution.

23 Thank you.

24 (Applause.)

25 (Brief discussion off the record.)

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2 MS. BUXBAUM: First of all, I want to
3 thank Glen Kelly for what he said. I completely
4 concur with his statement. That's number one.

5 Number 2, I'm asking, because of the
6 short duration of this comment period, that the
7 comment period, instead of commencing from the
8 14th, commence from the first time you really
9 reached out to the public, which was today, and go
10 from 30 days from today; and possibly -- I
11 understand there's going to be a repair for some
12 work being done on the salt lot itself with putting
13 a cover on it.

14 And in addition, the Union Street
15 Bridge, DOT is planning to do repairs on that,
16 which may impact movements of contaminants.

17 Is it possible we can have an additional
18 15 days? This is becoming very complex, this whole
19 thing. So thirty days from today, an additional
20 fifteen, so that we can look at what those DOT
21 impacts may be, and talk about how this is going to
22 end up maybe being the boondoggle that Glen
23 referred to.

24 Thank you very much. And I'm glad
25 you're not retired.

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2 MR. MUGDAN: Thank you, Diane.

3 Under the Superfund rules if we get a
4 request for an extension we must give one of
5 fifteen days, and that's what we're doing. I am
6 now unilaterally advising you that the public
7 comment period is extended by fifteen days.

8 If my arithmetic is correct, it's from
9 May 16 to May 31. So I am rejecting the proposal
10 that the comment period starts today. We gave full
11 notice on the 14th. And ordinarily a public
12 meeting such as this one occurs in the middle of
13 the comment period. We want people to have a
14 chance to get acquainted before the meeting with
15 the circumstances, and we come to a meeting like
16 this and give them some time after the meeting to
17 write comments and submit them.

18 So I'm satisfied that the level of
19 notice we provided on April 14, the start of the
20 comment period is sufficient. We're now extending
21 the comment period until May 31.

22 Next speaker?

23 MS. LONEY: Marlene Doneter?

24 MS. DONETER: I have some concerns,
25 basically, about the cost. And you're saying we're

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2 trading off certain things we're getting as a
3 result of this; but we also looked really very much
4 at the cost. A lot of us have seen a recent tweet
5 issued by our councilman, Brad Lander, saying there
6 was \$510 million that's been allocated for this.
7 That's practically the cost of the whole clean-up
8 that was posted before.

9 That's an excessive amount of money
10 going towards this, and we're looking at what we're
11 spending that extra amount of money for, is to
12 mitigate the potential loss of space of use of the
13 park for a time, and potential long term use by
14 possible displacement of space, and we get this
15 agreement.

16 We also have to stop and say, is this
17 worth it? Are we really getting much for this
18 incredible extra cost that's going in here? And
19 I'm not so sure we are. I think we have to look at
20 that very carefully.

21 I'm also really concerned that the
22 claims that why we're doing this is about the loss
23 of park land and the possible suit about the park
24 land, when we had a presentation before the CAG by
25 the landowners that are being threatened by eminent

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2 domain in this process to give back park land; and
3 that's not considered anywhere in this presentation
4 or the proposal. That's still a much more cost
5 effective process and it's not part of this process
6 here, not part of the recommendation, and it
7 concerns me.

8 I'm also very concerned that the first
9 thing I see on the timeline in the whole decision
10 is the ULUR process. I'm very suspicious of why
11 this is very expensive and why it's taking very
12 long, and we do know that our councilman wants to
13 move forth -- across the area. We know that he
14 stated he's against spot rezoning, he might not
15 stop at those two.

16 There's a lot of money here, there's a
17 lot of time, and I don't think we should be having
18 land use procedures under the Superfund process.

19 At a recent land use committee meeting I
20 had everybody in the room agree that ULUR or land
21 use in zoning procedures should not be part of the
22 Superfund. I said it three times and everybody
23 agreed. We should not have land use processes as
24 part of this.

25 It's possible under the EPA laws to not

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2 have that, so we don't want to open it up. If
3 we're sincere about not taking park land away, then
4 why are we doing land use process --- the EPA are
5 really about not -- of having agreement, they will
6 relinquish that, because it's about land use,
7 that's what they're arguing for, they are going to
8 hold on to it. I think we should get land use out
9 of the agreement 100 percent.

10 (Applause.)

11 MS. LONEY: Peter --

12 MR. MUGDAN: I want to mention one thing
13 or two. First, we are cognizant of the discussions
14 between the City and the company that has the 99
15 year long lease on, I think one of the parcels, or
16 both parcels.

17 To my knowledge, no agreement has been
18 reached at this stage of the game between the City
19 and Allied, the landowners, so we can't take
20 account of that one way or the other.

21 We did take account of the fact that if
22 the tank is built at the head of the Canal
23 location, the City is committed to creating more
24 open space. That's because they're not going to
25 allow development buildings on top of the tank. So

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2 wherever the tank is, that space will be open.

3 Let me also mention on the ULUR process,
4 so we do have a schedule in this proposed
5 administrative order for initiating and completing
6 the ULUR and CEQR processes, and failure to comply
7 with that schedule will be one of the elements that
8 could enable the EPA to require a pivot to the
9 other location.

10 The City takes the position, legally,
11 that it cannot acquire a property in this manner
12 without going through the ULUR or CEQR process.
13 The City takes the position that the same would be
14 true if it placed the tank in the park location.
15 As I said, that's one of the disagreements that EPA
16 and the City had.

17 MR. REICH: I just have a couple of
18 design questions. The green part of the park, the
19 area closest to Third Avenue -- that's unaffected
20 by all of this?

21 MR. TSIAMIS: Yes.

22 MR. MUGDAN: The question is, the green
23 part of the park, which is to the east of the area
24 that has to be excavated for coal tar purposes and
25 where the tank would have been located if that was

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2 the location, the green part of the park is
3 unaffected in the sense that, number one, there's
4 not coal tar under it, so it doesn't have to be dug
5 up for that purpose; and number 2, the tank
6 wouldn't go there.

7 As to whether or not the so-called green
8 portion of the park could remain open while the
9 work goes on, either for coal tar removal and/or
10 for tank construction, that's an open question. It
11 might be too disruptive, it might be too dangerous,
12 but it otherwise wouldn't be affected by the
13 construction. We think it could probably remain
14 open, at least in some fashion.

15 MR. REICH: Kids love construction.

16 I realize this is petty given the scope
17 of this project; but the trees along the sidewalk
18 of the pool and the handball courts, are they
19 getting torn up too, or is it just within the park?

20 MR. MUGDAN: The question was, the trees
21 along the sidewalk, the boundary of the park where
22 it fronts toward the streets, those trees will have
23 to be removed as part of the overall work going on
24 there, I think.

25 MR. TSIAMIS: Not necessarily.

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2 MR. MUGDAN: The answer is no.

3 MR. REICH: The perimeter --

4 MR. TSIAMIS: Yes.

5 MR. REICH: The third thing is, if the
6 City gets its wish and the holding tanks go right
7 at the head of the Canal, whether it makes any
8 sense to do the tanks and then permanently relocate
9 the pool on top of them there, rather than do a
10 temporary location and then move it to back again,
11 so it's disruption after disruption.

12 Just to put it out there. I assume
13 someone thought about it. Thank you.

14 MR. MUGDAN: In response to that last
15 question, it's a timing question. We would expect
16 the excavation of the park site, which is going to
17 require, regardless of where the tank goes, will
18 take place on roughly the same schedule and roughly
19 the same time frame as the excavation on the head
20 of Canal location, assuming the tank goes there.

21 Next speaker?

22 MR. DOUGHTY: My name is Izzy Doughty.
23 I've lived in this district all my life, and am
24 outraged by this agreement.

25 Let me explain something to you all

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2 about compliance with sewage overflows. The crap
3 from the rich people in Park Slope that they flush
4 down their toilets winds up in the Gowanus Canal
5 currently. And yes, they're trying very nicely to
6 fix this by placing retention tanks in there.

7 Who lives around this Canal now? The
8 people who live in Wyckoff Towers and the other
9 housing projects around this neighborhood. This is
10 some of the most diverse socio-economically and
11 racially census track in our entire district.

12 These people who haven't cared that if
13 we're living by this horrible polluted Canal, as we
14 can all agree on that, the Canal is polluted and
15 should be fixed -- they've been living there for a
16 long, long time, and what do they have?

17 They don't have clean air and clean
18 water, they can't go outside in the night after it
19 rains and not smell the putrid stench. But they do
20 have this beautiful pool, this beautiful park and
21 beautiful space which they have made theirs and
22 which is the key to their community.

23 You can't just replace it with another
24 park, because that park is their park, that park
25 represents them, and that park represents the one

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2 concession we've given them after we systematically
3 disenfranchised them in about every other way
4 possible.

5 So, we're spending \$500 million, and I
6 agree with you, that's far too much money. And
7 what are we getting out of it? We, I don't think
8 are getting anything; but the developers who build
9 along the Canal, houses for more rich people to
10 live in, they're getting something out of it.

11 Is that enough? Is that enough to
12 rebuild the park? I don't know. Under
13 environmental guides, sure, I think it's great to
14 renovate the park.

15 But putting a tank full of crap
16 underneath the pool, even if it would never
17 possibly leak into the pool, is such an
18 unfathomable insult to those who are on the bottom
19 of our class system. And I think it's
20 unconscionable. Thank you.

21 MR. MUGDAN: Thank you.

22 Next speaker.

23 MS. SAMARAS: My name is Triada Samaras.
24 I'm a long time resident here. I want to ad lib
25 something. I'm going to read something also.

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2 The reasoning that you gave for the
3 timeline, you said there could be some
4 inconsistencies in the original timeline, and you
5 used that as a reason why the new timeline could be
6 seen as reasonable. I didn't think that was
7 logical at all; because you mentioned there could
8 be some, maybe legal contingencies or something
9 could happen with the original plan that would
10 stretch the original timeline out.

11 I think if that's true, then it's also
12 true of this new timeline, which maybe is 2020, but
13 maybe would be 2024 under that reasoning;
14 especially because this timeline now with the
15 bullet points involves so many parties. I can see
16 lawyers' litigiousness becoming a real drag on the
17 ability of the work to progress.

18 And that's a real, I think that's a real
19 reason I favor, and have always favored the
20 original plan and original siting.

21 Another thing I'd like to say, I always
22 wondered what the role of Mr. Stringer, Comptroller
23 Stringer's office will be in approving eminent
24 domain, the purchase price. We heard the figure
25 \$125 million last meeting. I don't know if that

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2 was for one piece of property or more than one.

3 It's an extremely high price, and I
4 think most people in here would agree that \$125
5 million spent by taxpayers could be spent so much
6 better in this neighborhood acquiring park land,
7 little corners, making this a more habitable place.

8 We still are living in a Superfund
9 designated area, and we are the most dense
10 population around this Superfund designated area.
11 So I think spending \$125 million to seize someone's
12 private property is not wise, and is outrageously
13 expensive. And I would favor anything but that.

14 Thank you.

15 MR. MUGDAN: Thank you.

16 I think there were two ways in which the
17 Comptroller's Office could conceivably have been
18 involved, maybe there's others. When we were
19 negotiating the proposed agreement with the City of
20 New York, they initially were under the impression
21 that once the City administration, the Department
22 of Environmental Protection, decided they were
23 prepared to go ahead with the agreement, they would
24 pass it through the Comptroller's Office first for
25 a check to see it was done in an appropriate way,

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2 procedurally appropriate way.

3 Based upon advice from the Law
4 Department, they concluded that that is not
5 necessary.

6 I don't have any answers as to in what
7 way the Comptroller's Office might be involved in
8 the decision to spend funds for the eminent domain.
9 I think probably through the ULUR process there's
10 some opportunity for all stakeholders to be heard.
11 Again, that's a detail that I'm not familiar with,
12 and it's up to the City to work that process out.

13 MS. SAMARAS: What if the Comptroller's
14 Office was against spending the money?

15 MR. MUGDAN: As I said, there are
16 contingencies in this administrative order. If the
17 City is not able to go through the steps that are
18 required to exercise eminent domain in the time the
19 schedule provided, then EPA can require the City to
20 revert back to the park location, for which the
21 design will be done, because we're having both
22 designs carried out simultaneously.

23 I might add that it's my understand from
24 what the City officials explained to us that there
25 are two possible points at which litigation can

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2 take place in an eminent domain proceeding.

3 One is that, in order to carry out
4 eminent domain, a municipality like the City of New
5 York has to go through an administrative process to
6 say, "This is what we plan to do." That process in
7 their judgment requires the ULUR and CEQR
8 procedures, among others.

9 If there are allegations by the property
10 owner that they failed to do that or failed to do
11 it properly, litigation can be brought before the
12 eminent domain takes place.

13 Assuming that the City gets through that
14 process, and if they fail to, that's a scheduled
15 event, and failure to meet the scheduled deadline
16 allows us to require the pivot.

17 The second opportunity for litigation is
18 after the City exercises eminent domain. At that
19 moment that the exercise of eminent domain occurs,
20 the City owns the property, period. And the City
21 has to put up a certain amount of money, I think,
22 99 percent of what they estimate the cost to be.

23 If the landowner at that point disputes
24 the assessed value or estimated value the City has
25 put on it, there can be another litigation about

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2 the value. But that doesn't stop the change of
3 title. The title will have moved from the
4 landowner to the City at the moment the City
5 exercises eminent domain, and they can argue for a
6 long time thereafter about the actual amount of
7 money. That doesn't slow down the process in any
8 way.

9 It's the litigation before the exercise
10 of eminent domain that was a matter of concern to
11 us, and that's why the schedule allows us to cause
12 the pivot, if that litigation takes longer than the
13 four year period we discussed.

14 MS. SAMARAS: Excuse me. Are you saying
15 that in the second case you're not worried about
16 the time being interrupted?

17 MR. MUGDAN: That's correct. Once any
18 municipality exercises eminent domain, and in this
19 case the City of New York that requires this
20 administrative process to carried out beforehand.
21 Once that occurs and the municipality says "We're
22 taking your property," at that moment title passes
23 from the owner to the municipality. And the only
24 remaining question to be litigated is how much
25 money the municipality owes to the property owner.

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2 If the property owner is unsatisfied
3 with the amount of money the municipality
4 identified, then the property owner can go to court
5 and say, "Hey, this wasn't enough money, it's
6 really worth much more." And they can litigate
7 about that, but the title has passed. At that
8 point the municipality owns the property.

9 MS. SAMARAS: Sorry. Will that be
10 taxpayer money if money is argued about and more
11 money needs to be paid? Again, it's coming from
12 taxpayers, just so everybody understands.

13 That proves -- I'm not trying to be a
14 know it all -- it proves my point about many
15 inconsistencies in the new plan, where I can't
16 imagine four years, going only four yours. It
17 seems like there's plenty of spaces for that to
18 stretch out, as you said in the original, there
19 could be some problems.

20 Thank you very much.

21 MR. MUGDAN: Thank you.

22 As I said, that schedule, that four year
23 schedule we have now to April 2020, that's a
24 schedule subject to milestone events along the way,
25 which, if not fulfilled, allows the EPA to require

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2 the City to move the location over to the park.

3 MS. KELLY: Katia Kelly.

4 It has been a long road. You came to
5 the community, as my husband said. We trusted you
6 guys and I still trust your engineering, I just
7 don't trust the political aspect.

8 I have two questions; one for you,
9 Walter, and hopefully one for for Christos, the
10 engineer, because there's a couple of
11 inconsistencies with the engineering part I would
12 like to clarify.

13 If you can go to your proposed agreement
14 slide, the very first one. My first comment. I
15 looked to the agreement, and as you said, Walter,
16 it's very, very difficult to understand for
17 somebody who is not a lawyer or a scientist.

18 But it seems to me nowhere in the
19 agreement does it actually specify a 4 million
20 gallon tank for OH007, and an 8 million gallon tank
21 for RH034. Are you going to go ahead and include
22 that in the agreement?

23 Like I said, I'm just a little
24 housewife, and if I were to sign an agreement, I
25 would make sure that's in there. Because the City

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2 has contested that. I like what you said, there
3 seems to be agreement on that.

4 I insist as a member of the community
5 that those two numbers get put in there. That's my
6 first comment.

7 The slide of the proposed agreement, I'm
8 reading this, and I think it was confirmed, what I
9 understood was confirmed by what you said, Walter,
10 that the agreement is on the design and site
11 preparation.

12 There's something left out there, the
13 actual building of the tank. Because it's not in
14 there. The agreement has nothing to do with when
15 that tank is going to be built. It basically only
16 asks the City to put a big hole in the ground.

17 So why would EPA go ahead and sign an
18 agreement that still does not give us a tank, which
19 means we're going to get recontamination? Which is
20 something the EPA told us is a big no-no, and that
21 no polluter would be allowed to recontaminate the
22 Canal.

23 So I'd like to know when exactly the
24 tank is going to be built; and if you will indulge
25 me, I'd like to ask Christos two or three questions

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2 also.

3 MR. MUGDAN: Two questions. The first
4 question was, the proposed agreement doesn't
5 specify the 4 and 8 million gallon tank size.
6 That's correct. The size of the tank is an element
7 of the design. And so the design has to be
8 submitted to us by the City, and we have to either
9 approve it or disapprove it.

10 And there are steps along the way, I
11 think a 35 percent and a 65 percent design step
12 along the way. If we had told the City that if
13 they submit to us a design anything other than the
14 4 million and 8 million gallon tank we will
15 disapprove it. The City has accepted those sizes.

16 There will be other documents that will
17 memorialize that decision as part of the design
18 process.

19 And in fact, there is in the
20 administrative record for this agreement a
21 memorandum that I put into the file explaining our
22 reasons for making the decisions that are
23 summarized here. I'm also expecting to put into
24 the file at some point, probably prior to this
25 agreement being finalized, if it is, a separate

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2 memorandum that memorializes my communications and
3 that of my boss, Region Administrator -- with
4 Commissioner Emily Lloyd, in which the specific
5 questions of the tank sizing are addressed, and I
6 will memorialize those decisions made and
7 communication of those decisions to the City and
8 their acceptance thereof.

9 But the actual formal document that does
10 it will be either an approval of the City design
11 document or a disapproval, with required changes to
12 the design document.

13 The second question you asked is, why
14 doesn't this agreement include in it the obligation
15 to construct the tanks?

16 And the answer for that is, under the
17 Superfund law, an administrative consent order
18 cannot be used, may not, is not permitted to be
19 used, as the vehicle to memorialize the agreement
20 to carry out what's called a Superfund remedial
21 action.

22 An administrative consent order is
23 allowed for what's called a removal action; and
24 that's why you will see the word "removal" in a
25 couple of locations in this presentation and in the

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2 order itself.

3 For those who aren't spending all their
4 time in Superfund law, Superfund divides clean-up
5 actions into two species. One is called a removal
6 action, the other is called a remedial action.

7 Congress in its wisdom gave us different
8 legal obligations for different legal mechanisms
9 that had to be used to memorialize an agreement by
10 a responsible party to carry out a remedial action
11 different from those that we can use for a removal
12 action.

13 For a removal action we can use an
14 administrative order. Administrative simply means
15 that I, as an official of the Environmental
16 Protection Agency, can issue that order. And so
17 the authority has been delegated to the President
18 to the administrator of the EPA, to the regional
19 administrator of the EPA, down to the Superfund
20 division director.

21 Under the Superfund law, a consensual
22 agreement to carry out a remedial action, which is
23 what the construction of the tanks would be and
24 what the Canal dredging will be, that must be done
25 through what's called a judicial consent order.

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2 It's a consent decree.

3 It's a document that has to get
4 presented to a court, the United States District
5 Court. Again, there's a public comment period on
6 that, and ultimately the court, if it agrees,
7 normally it does, enters that as an order of the
8 court.

9 So that's the different ways in which
10 the Superfund law specifies what EPA carries out.

11 Because the construction of the tank
12 will be a remedial action, it has to be done in a
13 different mechanism.

14 So, what is our intention? Our
15 intention is, assuming this order goes into place
16 and assuming that the next order to National Grid,
17 which I alluded to in the comment in the
18 presentation, assuming that one gets put in place
19 within several months, the next step after that is
20 for us to start to engage with all of the
21 responsible parties on the negotiation of a
22 judicial consent decree, which we hope will be
23 successful, and that will then require the actual
24 construction work, including detailed time
25 schedules for all of that work.

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2 I predict that we will still have
3 differences of opinion as we go into those
4 negotiations for how long it will take to carry out
5 this construction work. We will have to have those
6 discussions, and eventually it will be up to us to
7 make a decision of what we think is appropriate.

8 If a consensual agreement cannot be
9 achieved, we still have the authority to issue a
10 unilateral administrative order under the Superfund
11 law; and we've done that in other circumstances
12 where we've been unable to reach a consent about a
13 remedial action, and then we issue a unilateral
14 order and that becomes a legally binding
15 obligation.

16 Again, it doesn't have some of the
17 benefits of a consensual agreement, but it's a very
18 powerful legal instrument.

19 MS. KELLY: Anyway, I have a couple of
20 questions for Christos. I did reach out to the EPA
21 and asked for some technical support to explain why
22 the EPA made the decision that it did make. And I
23 received a couple of documents that were
24 correspondence between the EPA and DEP regarding
25 technical aspects of the tank. And I just wanted

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2 to clarify.

3 Christos, you go on record as saying
4 that -- the design for the 8 million gallon tank,
5 the hole in the wall, the head house by DEP, both
6 of them are excessively designed. So obviously
7 they've over-engineering this, which I guess is
8 their right, but our taxpayer money.

9 There was one thing that struck me in
10 particular, and that was the fact that the EPA in
11 the correspondence talks about a setback of greater
12 than 20 feet, on the order of 45 or 50 feet to
13 provide an improved margin of safety in the
14 construction of the tank and allow for the
15 installation of tiebacks, the National Grid cutoff
16 wall.

17 So something about the fact that the
18 tanks cannot be too close to the bulkhead on the
19 side of the property site. And there is discussion
20 about 20 feet, 45 feet, 50 feet. What is it? How
21 far do they have to move it and move it back? It
22 seems very complex engineering-wise --

23 MR. MUGDAN: I will answer these
24 questions. I appreciate you posed them to
25 Christos, but I will answer them.

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2 MS. KELLY: He is the engineer.

3 MR. MUGDAN: I'm the Superfund director,
4 I'm ultimately responsible for this. So here are
5 the answers to your questions.

6 On March 16 we had a technical meeting
7 with the City of New York. Prior to that time
8 Christos provided technical comments to the City of
9 New York, which we discussed at that March 16
10 meeting. They included issues that might be
11 characterized as, in our judgment, excessive or
12 over-designed.

13 We have not yet gotten final responses
14 from the City, but we will be looking carefully at
15 those. Ultimately there are decisions that the
16 City can choose to make on its own, which we may
17 consider unnecessary, but as long they don't
18 unreasonably prolong the schedule or make it
19 otherwise impossible to build, that is the City's
20 choice.

21 As to the setback question, we had
22 further conversations with National Grid and the
23 City of New York. The 40 or 45 feet that we talked
24 about is actually now going to be 100 feet. The
25 City is setting back 100 feet.

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2 National Grid needed 80 feet. The City
3 made a choice to set back 100 feet. That was
4 communicated -- from the bulkhead, to allow for
5 tiebacks, as long as they need to be, so there will
6 be a buffer space in between the tiebacks and City
7 activities.

8 Now, the details will still be in design
9 documents that need to be submitted pursuant to the
10 schedule that's in this proposed agreement. But
11 those are the communications we've had as recently
12 as last Thursday night with the City.

13 Thank you.

14 MS. KELLY: Okay.

15 MR. MUGDAN: That reminds me, we need to
16 move quickly because there are nineteen people
17 speaking, so I'm probably as much at fault. I'll
18 try to limit my remarks and ask you to do the same.

19 MS. MARIANO: Linda Mariano.

20 Is it too late to pave over the Canal?

21 (Laughter.)

22 Is it a kooky idea to suggest that the
23 smaller tanks be placed on the site at the head of
24 the Canal? Rather than in the salt lot area?
25 That's one question.

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2 MR. MUGDAN: I'll answer it quickly.

3 So the size of the two different tanks
4 have to do with how much discharge there is in
5 those two different locations. The two different
6 discharge locations drain different portions of the
7 surrounding territory, so they simply have
8 different amounts of CSO going out. That's why one
9 has to be double the size of the other. So you
10 can't switch the locations.

11 MS. MARIANO: One other question about
12 the hydrology of the area. How will the pumping
13 station and the mechanism that operates the pumping
14 flushing station be affected by the two tanks so
15 close to the Canal?

16 MR. MUGDAN: So, there is a pump station
17 that is located at the spot, because the head of
18 the Canal is a low point in the piping system
19 that's otherwise moving by gravity. It has to be
20 pumped back up again in order to eventually reach
21 the Red Hook treatment plant for treatment.

22 That pumping station will not be
23 affected one way or the other by the placement of
24 the retention tank. The idea of the retention tank
25 is that when the pipe is full, the next 8 million

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2 gallons of sewage and rain water will go into the
3 tank.

4 Now, if the rain continues, there will
5 be some amount of discharge into the Canal, but it
6 will be much cleaner, because most of the sewage in
7 that, what's called the first flush, will have been
8 captured in the tank.

9 Christos has made the calculations in
10 designing, preparing the remedial decision of how
11 many times in an average year, an expected year,
12 will this tank be full and some additional
13 discharge go into the water. It's a small number
14 of occasions, and it's a small amount,
15 comparatively speaking, on those occasions.

16 In all other circumstances when the 8
17 million gallon tank is full, or however much is
18 collected in there is collected once the rain
19 stops, then it is pumped out of the tank by a
20 different set of pumps from the existing pump
21 station.

22 It's pumped back out of the tank, back
23 into the pipes that normally carry the sewage. It
24 will then move to the existing pump station, which
25 will lift it up, and it will end up at the Red Hook

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2 sewage treatment plant.

3 MS. MARIANO: Hopefully.

4 I think that the use of eminent domain
5 or friendly acquisition is rather inappropriate
6 here in the 21st century. And I think we should
7 recognize that we would, with the use of eminent
8 domain, approximately 350 to 400 jobs would be lost
9 by displacing the property owners on those sites
10 that the City wants to take by friendly
11 acquisition.

12 And there are other properties on Nevins
13 Street that are available, that are for sale. And
14 why weren't those properties not selected, rather
15 than property that doesn't want to be sold or
16 taken?

17 MR. MUGDAN: Thank you.

18 Who's next?

19 MS. YOUNG: Maryann Young.

20 I ditto what Glen Kelly says, and I need
21 to ask this question for our group. Why, if park
22 land alienation was such a determining factor in
23 allowing the City to build tanks on private land,
24 is there no mention of Alloy's proposed land
25 donation to offset loss of park space in the

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2 agreement? Did the EPA even consider this offer?

3 MR. MUGDAN: As was said earlier, there
4 is no existing agreement between the City and
5 Alloy, therefore we have nothing that we can take
6 account of right now. We're certainly aware of the
7 communications between Alloy and the City. Indeed,
8 I met with Alloy and the property owners myself,
9 maybe two months ago.

10 So we're aware of those negotiations and
11 discussions, but to my knowledge they've not
12 resulted in an agreement, therefore there is
13 nothing we can take official account of.

14 MS. YOUNG: So you're saying if the City
15 doesn't work with Alloy that means you can't offer
16 any kind of solution from Alloy?

17 You're saying if there's no real
18 agreement or negotiation going on between the City
19 and Alloy, then therefore EPA has nothing to do
20 with it? Right?

21 MR. MUGDAN: For the purposes of this
22 conversation, that's correct.

23 MS. YOUNG: There is that special clause
24 where they're not going to be challenging you at a
25 certain point? This is the City saying that. What

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2 about the state? Or National Grid or other PRP
3 coming up and challenging you on that? Is any kind
4 of agreement that protects you from that?

5 MR. MUGDAN: The question is whether
6 this waiver of right to challenge the CSO elements
7 of the remedy affects other parties like National
8 Grid or the state?

9 First of of all, the state has concurred
10 in our remedy. So the state agrees with the remedy
11 we selected in 2013. They're fully supportive of
12 that. That was a written concurrence. And they
13 would not have any legal ability to challenge it in
14 court even if they disagreed, but they don't.

15 As to National Grid or one of the other
16 responsible parties, they have no direct interest
17 in our judgment in the CSO element of this remedy,
18 and would not be enforcing against the CSO element
19 in this remedy. That's an obligation on the City
20 of New York.

21 However, that being said, when we enter
22 into our negotiations with National Grid, which we
23 now will do, we'll be asking National Grid to make
24 a comparable waiver of its right to challenge the
25 elements of the remedy that affect it.

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2 MS. YOUNG: Another thing. There's a
3 lot of City agencies with different priorities,
4 different rules and regulations and so forth.
5 There is that tank, 007, that's happening in the
6 salt lot. Right now, currently there are
7 structures being built right there for the salt lot
8 as well the -- how is that handling if the
9 retention tank has to go in?

10 MR. MUGDAN: The question is about other
11 City activities on 007. I will discuss this
12 tomorrow night with the CAG. It is not relevant to
13 tonight's program because it is not part of this
14 proposed agreement. But if we do have responses to
15 that we will be sharing with you. Thanks.

16 MS. YOUNG: Thanks.

17 MR. MUGDAN: Next speaker.

18 MR. DIXON: My name is Sean Dixon. I'm
19 here speaking on behalf of River Keeper. First, I
20 wanted to thank you for answering all of our
21 questions as opposed to those meetings where you
22 just sit there and say thank you and then move on.
23 So it's really great of you guys, and I'm sure
24 we'll do the same thing tomorrow.

25 But I had a couple quick questions about

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2 the tanks themselves. River Keeper has been on the
3 record in favor of the expedited clean-up. And as
4 you just mentioned, the whole idea of the
5 construction of the tanks is next.

6 So the way we read this order today,
7 four years, 2020, that's when the acquisition has
8 to happen. Then there's some sort of mysterious
9 coordinate with the National Grid on the first part
10 of the clean-up. Then there's two years of
11 finishing the hole.

12 So we're thinking about 2023 for the
13 hole in the ground to be completed. What's your
14 estimate on that? Maybe 2023, hopefully 2022?
15 Anyway, the question based on that, wherever that
16 lands, I know you said that you haven't yet begun
17 negotiating the CSO tanks.

18 So my first question of hopefully a
19 short two questions would be: What is your
20 estimate and what is the EPA's position on what
21 it's going to be asking for on how long the CSO
22 tanks will be built over? And when actually have
23 them operating on the Canal?

24 MR. MUGDAN: It's a complicated set of
25 questions, which -- I will certainly be prepared to

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2 and asterisks on them. I didn't read in the order
3 that there's a requirement there be open space on
4 top of the head of Canal location, were that to be
5 the final choice; and I didn't read that there was
6 a requirement that the City clean up any
7 contaminated sediments, only if found necessary by
8 the EPA.

9 The question is, on that cleaning up of
10 the sediments, is that something covered in the
11 waiver right to litigation, or is that something
12 that you can still disagree on in the future? And
13 did you consider requiring, and can we convince you
14 to require, open space and clean-up full stop?

15 MR. MUGDAN: I'll take that as a comment
16 as well as a question. We thought about it, we
17 believe that that is something appropriate in the
18 remedial consent decree. And so that's probably
19 where that will be dealt with, as will be the
20 schedule of the construction.

21 MR. DIXON: One final note. As you're
22 building the record, I don't expect you to have
23 this number in front of you. You said in your
24 letter, your opening statement, that the park
25 location would be quicker, cheaper and easier, I

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2 believe.

3 Do you have numbers on how much quicker,
4 how much cheaper and specifics on how much easier
5 it would be that you can put on the record, or with
6 you today?

7 MR. MUGDAN: The numbers we made in the
8 ROD an estimate of the costs. The City argued in
9 its comments on the proposed plan that those costs
10 were too low; and that seems to still be the City's
11 position.

12 In terms of the timing, we have made
13 projections into how long things will take, but the
14 actual schedule is subject to the remedial
15 negotiations.

16 MR. DIXON: Thanks for that answer.

17 MR. MUGDAN: See you tomorrow night at
18 the CAG meeting.

19 My colleague Tom reminds me that the
20 April 2020 is a deadline. There are possibilities
21 of having that date earlier, and that includes a
22 consensual acquisition of property, or it can
23 include getting to the point of being able to
24 exercise eminent domain more quickly than the four
25 year schedule.

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2 MR. SHAMES: Mark Shames. It's a
3 pleasure to be at this pre-CAG meeting.

4 (Laughter.)

5 What Sean was talking about was
6 essentially what I wanted to talk about, so I'm not
7 going to repeat any of that. What I did want to
8 note is the first milestone is April 2016, the
9 beginning of the EIS. Have we met that first
10 milestone or have we missed the first milestone?

11 MR. MUGDAN: The order has not yet gone
12 into effect; therefore the City's obligation to
13 give us monthly status reports hasn't yet started.
14 Nevertheless, my understanding is those actions
15 have started. The answer is yes.

16 MS. DELANZ: Michelle Delanz from the
17 Fifth Avenue Committee. First, I just want thank
18 EPA and its staff for a tremendous amount of work,
19 honestly; and I think taking a pretty complex
20 situation and agreeing to break it down for us, I
21 really appreciate that.

22 I have three questions. Just talking a
23 little bit more about the administrative order with
24 National Grid. If you can talk a little bit more
25 about its timing, the status that you are at in

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2 negotiations with National Grid, and some of the
3 high points. I think that would be helpful.

4 Do you want all three at once?

5 MR. MUGDAN: Sure.

6 MS. DELANZ: The next one has to do with
7 the community involvement for input and the design
8 of the temporary and permanent parks. Where would
9 that be handled? Is it in the National Grid
10 administrative order, is it in the next remedial
11 agreement? I think it would be really helpful.
12 That's a primary concern that a lot of folks have,
13 and it would be helpful to know where it gets
14 reflected.

15 Then, finally, it's obviously come up a
16 couple different times about the importance of the
17 conversation that DEP has with Alloy. I know you
18 may not have details on that, but I think
19 especially during this public comment period, it
20 would be helpful to hear directly from DEP about
21 the status of those conversations, because I think
22 it may give some folks either more cause for hope
23 or more cause for concern, depending on how that's
24 trending. Because I think obviously if we have a
25 situation where eminent domain can be avoided and

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2 we can extend open space, and the worst case
3 scenario that EPA has tried to mitigate against
4 doesn't happen, that would be a tremendous win-win.

5 So it would be helpful to hear from the
6 DEP. Thank you.

7 MR. MUGDAN: Thanks. Your first
8 question was timing of the plan's administrative
9 order with National Grid. As soon as this process
10 is completed that's next on our to-do list. I
11 would assume that that process might take four or
12 five months, give or take.

13 The second question was what about
14 community involvement regarding the design of the
15 temporary and permanent parks, pools? That would
16 be a subject for inclusion in the National Grid
17 administrative order. They need to do some of
18 that, you'll have to figure out how to coordinate
19 with the City. Ultimately it's the City's Parks
20 Department that's obliged to insure the designs are
21 satisfactory and probably to oversee the handling
22 and management of park facilities and things of
23 that sort.

24 So we'll have to work that through in
25 our discussions with Grid and interactions with the

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2 City.

3 As for the Alloy discussions, it will be
4 up to the City if they want to come in some forum
5 share what they're doing with Alloy. I will say
6 following that because we have several, about 100
7 foot setback, there may not be a great deal of
8 opportunity for a joint utilization of the
9 property. Alloy, if they were going to use part of
10 the property would have to have it face Nevins
11 Street rather than behind the tank on the Canal.
12 That strikes me as being more plausible. I
13 shouldn't make a final decision on that.

14 But the City and Alloy are discussing
15 where the tank would be on the property, what that
16 would leave, if anything, for Alloy to use for
17 development purposes.

18 Again, I'm not a party to those
19 discussions. EPA has no role in those discussions
20 other than to say, Here's what you need to do on
21 the setback.

22 Again, I will be there at the CAG
23 tomorrow night, if you'll be there we can talk
24 about that.

25 Eric Landau, from the New York City DEP

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2 will step forward and say a few words. We're
3 running out of time.

4 MR. LANDAU: Thank you, Walter. I'm
5 Eric Landau from the New York City Department of
6 Environmental Protection. Just very, very quickly,
7 Michelle, to your question, and Brad Cooke from
8 Alloy is with us tonight as well.

9 Since the December CAG meeting when
10 Alloy made its thoughtful presentation, the City of
11 New York, both the Parks Department and Department
12 of Environmental Protection have been in regular
13 conversations with Alloy about those properties,
14 and about looking at ways we can both be on the
15 Canal properties and achieve our shared goals.

16 Obviously, a setback that Walter was
17 talking about is part of that conversation now.
18 That's not the only option we're looking at, we're
19 looking at lots of others.

20 But the bottom line message is this:
21 That, yes, eminent domain is part of this
22 conversation. Certainly we talked about a lot
23 tonight. But it is not where we are right now.
24 It's a tool, but one that we hope we never have to
25 use. It's really a last resort, and one that we

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2 hope we never have to use.

3 We're very hopeful and confident that
4 productive conversations that Alloy and the City
5 are having can continue and reach an agreement to
6 meet our shared goals.

7 Thank you all.

8 MR. MUGDAN: Thank you.

9 Next speaker.

10 MR. ALEXIOU: Hello, my name is Joseph
11 Alexiou.

12 My few questions, not to repeat everyone
13 else's questions. Specifically, the first one has
14 to do with, if the tank location is going to take
15 place on private land, there was mention that there
16 should be more open land created on one of the
17 sites. Can we see that slide, or what was that
18 specifically?

19 MR. MUGDAN: It's long been understood,
20 not specifically written anywhere, it's understood
21 that the City doesn't want any commercial or
22 residential development on top of a tank -- it
23 doesn't want any kind of development on top of a
24 tank.

25 And the flip side is, developers don't

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2 want to build residential or commercial property on
3 top of a tank.

4 So wherever the tank gets built, setting
5 aside the question of the head house, wherever the
6 tank gets built, any portion above the tank that
7 doesn't have the head house on it will almost by
8 definition become open space.

9 MR. ALEXIOU: So you answered my
10 question, how can you talk about the head house
11 taking away open park land, and at the same time
12 say that that land will be open space? Those two
13 things seem quite -- they don't go together very
14 well.

15 MR. MUGDAN: It was a little obscure.
16 If the tank were placed under the park, then the
17 logical place, not the only place, but a logical
18 place for the head house is above the tank, and it
19 would occupy some space within the current
20 footprint of the park.

21 If the tank is created at the head of
22 Canal location, which currently is not part of the
23 park, then the majority of the footprint of the
24 tank will have above it nothing. It will be open
25 space. But some fraction of that footprint will

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2 have the head house on top of it.

3 That will create a net increase in open
4 space, because it would be an addition to the
5 current footprint of Thomas Greene Park.

6 MR. ALEXIOU: Right. I have to say
7 that, while I understand your answer, I find the
8 math there to be a little bit -- this is the
9 problem that I have in general with this entire
10 process, is that, as long as we argue about it, we
11 can continue to come up with explanations for why
12 one thing is another, just like we have this idea
13 we're spending -- someone, several people said
14 we're spending more people's tax money to do
15 greater -- not to buy this land, it's not tax
16 money, it's the raising of the water rate; is that
17 correct?

18 The raising of the water rate comes from
19 business owners and real estate owners who are
20 there. Those water rates were earmarked before
21 this decision was ever even made, if I'm correct
22 about that, and that the City had planned this
23 before the decision was ever made.

24 So before the decision was made, this
25 has already been factored into the City's budget

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2 for next year. Isn't that the case?

3 MR. MUGDAN: The water rates are paid by
4 everybody who uses water. It's the water rates
5 that pay this, both sewage management and clean
6 drinking water. The City has a ten year capital
7 plan that the Water Board is subject to. Every two
8 years it gets updated, is my understanding.

9 So at a time when a commitment is
10 legally made to carry out a certain capital
11 project, at that point the ten year plan certainly
12 has to include the cost estimate for that activity.

13 I don't know exactly at what point in
14 the budgetary cycle the costs for this tank were
15 put into the capital -- I think it was last month.

16 MR. ALEXIOU: I'm right.

17 MR. MUGDAN: So that's the budgetary
18 process. And by March the City was pretty well
19 underway in negotiations, which is why they didn't
20 put it in.

21 MR. ALEXIOU: Thank you for clarifying
22 that.

23 And so, again I want to point something
24 we were talking about before, is that the entire
25 cost the City estimates for this tank is

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2 approximately 506 to \$510 million for acquisition
3 and everything else. And 506 to \$510 million was
4 the EPA's projected cost for the entire clean-up
5 process, including two tanks and the removal of all
6 this stuff.

7 So there's a huge discrepancy between
8 what the EPA says and what the City says the cost
9 should be and the plan should be.

10 And finally, you have also pointed out
11 now -- and I want to make sure I get the language
12 right -- effectively, the City sort of has the
13 power to challenge in court the decision of the
14 EPA, which is something you wanted to avoid in
15 order to get to where we are now. Which to me, the
16 subtext here is that the City did threaten to go to
17 court if we didn't negotiate with them.

18 And that's what I'm seeing playing out
19 here. Whether or not I'm right, and I may be
20 totally wrong about that, I think that's what all
21 the people who are angry are most angry about.

22 And I want to on the record say these
23 discrepancies, including what we just talked about,
24 the head house taking away green space, but
25 suddenly giving us green space as private land,

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2 these things are troubling to me. And I don't
3 think necessarily it's all that the City is wrong
4 and the EPA is right.

5 I think it could be even more clear and
6 open a conversation with actual numbers and facts
7 like the ten years that it's going to take for us
8 to get to the point of tank construction before we
9 actually begin. All those things should be said
10 more clearly, and we've asked for that in general.
11 I think that's what the EPA did up to a certain
12 point, and that is, again, where things get
13 complicated and upsetting.

14 Thank you so much for your time.

15 (Applause.)

16 MR. MUGDAN: To answer directly, the
17 City did not threaten litigation; but litigation is
18 always a possibility when we move to enforce any
19 instrument at all. That's one of the things we are
20 concerned about.

21 Next speaker?

22 ASSEMBLYWOMAN SIMON: Assemblywoman
23 Joanne Simon.

24 I just wanted to say that I'm very
25 pleased that this meeting is being held and that

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2 it's being held in this format, that people are
3 able to ask questions that they have to ask, and
4 that Mr. Mugdan has been so gracious in answering
5 these questions as well as he has.

6 I know that many of you are concerned
7 about this agreement, just as many of you have been
8 concerned that the advocacy around keeping the
9 space, park space, has perhaps been viewed as a
10 less than hearty support for cleaning up the Canal.

11 I can assure you that that's not the
12 case. I have been concerned about the loss of this
13 park space since before I was elected; I worked on
14 this park, on keeping this park a park, and having
15 more and more people enjoy this park, which is
16 critical and essential to so many communities.

17 And I think it is very important that we
18 maintain as much public park space as we can. I
19 think the net open space is a real positive here.
20 And while we can debate the costs of which we don't
21 really know what they're going to be, in any event,
22 the timetables that are set out in this agreement
23 are very important protections for everyone here,
24 both those who want to retain as much park space
25 and use of the pool as possible, as well of those

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2 of you who are concerned about the passage of time
3 and the clean-up of the Canal area.

4 I also want to say that while -- and I
5 certainly hope there's an agreement to be reached
6 and we don't have to get to the point of eminent
7 domain --there is a reason eminent domain exists,
8 and that's for public use. And I can't think of
9 anything that's more for public use than cleaning
10 up our environment and providing open space for our
11 children to play.

12 So I want to thank everybody for being
13 here, and I've been listening to everybody's
14 comments this evening, and I'll stay to the end of
15 the meeting, and I look forward to continuing the
16 dialogue. Thank you.

17 (Applause.)

18 MR. MUGDAN: Thank you, Assemblywoman.

19 Who's the next speaker?

20 MR. WARREN: My name is Philip Warren, I
21 manage Eastern Effects Studios, which is a facility
22 directly south of the head of Canal location.

23 My question is, will any of the
24 properties or businesses outside of the yellow
25 square be affected by either of the tank sites

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2 construction?

3 MR. MUGDAN: Fair question. Again, I
4 will show the piece of property that you alluded
5 to, right here.

6 (Indicating screen projection.)

7 MR. WARREN: We also have an office
8 within head of the Canal.

9 MR. MUGDAN: Right here?

10 MR. WARREN: I'm mainly concerned about
11 the first one.

12 MR. MUGDAN: So, for any construction
13 project of this magnitude, a staging area is
14 necessary and highly desirable. That's where
15 equipment and materials can be staged, necessary to
16 the construction of the project itself.

17 Regardless of which site is selected for
18 the tank, the City has identified and we have
19 agreed that this is a logical location for the
20 staging area. That means that this area would have
21 to be acquired as well. It could be through a
22 voluntary purchase agreement or it could be through
23 eminent domain.

24 In addition, there is underneath this
25 property, we believe, a considerable amount of coal

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2 tar. So when and if that property is acquired --
3 the buildings would then be removed. At that point
4 there would be an opportunity and obligation for
5 National Grid to come in and remove the coal tar
6 underneath it, even before the site is used as a
7 staging area.

8 So whether the tank goes here or there,
9 a staging area needs to be selected. That's the
10 current target the City has identified. We have no
11 objection to it, it makes sense. If the head of
12 Canal location is where the tank gets built, the
13 City told us what they'll probably do is close off
14 this last block of Degraw Street between Nevins and
15 the Canal. That would give them a free and clear
16 access between the staging area and the
17 construction site.

18 Again, those are all parts of the design
19 yet to come.

20 MR. DEFIBAUGH: My name is Ian
21 Defibaugh.

22 In the event that the property just
23 south of the location is acquired for staging,
24 which you said it has to be, in the event of
25 eminent domain, what sort of rights do we have as a

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2 long term lessee? Because we made a significant
3 investment in this facility, over a million
4 dollars, and we actually provide a significant
5 stimulus to the local environment.

6 The Americans -- the FX show the
7 Americans is filmed at this location, has been
8 there the last several years, four years. And it's
9 been estimated that we provide almost a \$4 million
10 stimulus to the local economy through these
11 individuals, about a hundred people a day, who are
12 using local businesses, going to Lowe's, some of
13 the new restaurants that opened in the area.

14 One of the reasons they're receiving so
15 much business is because of our studio. We've
16 actually been in the Brooklyn area for almost 16
17 years. We actually have, we lease four different
18 properties. With this plan we will be losing two
19 of our properties. The Degraw Street production
20 offices will be acquired for the tank building; and
21 also our extremely expensive investment that we
22 currently have a 12 year lease on, and we would
23 have a significant loss if this was acquired
24 through eminent domain.

25 What is the responsibility of the City

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2 or the EPA with regards to any sort of compensation
3 to local businesses for this?

4 MR. MUGDAN: A landowner or a tenant has
5 rights to compensation. That is all part of the
6 eminent domain process, if eminent domain is
7 utilized. And obviously the investment in a piece
8 of property dictates or affects very directly what
9 the value of that property is.

10 And we certainly are aware of the
11 economic benefit from the existence of the studio
12 there. We're familiar with the number of jobs that
13 are involved. I believe the City is familiar with
14 that as well.

15 MS. SIMMONS: I'm Cynthia Simmons. I
16 just want to dovetail very quickly on what Marlene
17 said about putting in ULUR. I think I heard a fear
18 expressed, and we need some type of assurances that
19 ULUR would be specific to this site, and it can't
20 be expanded to include a rezoning or something.

21 MR. MUGDAN: The question is whether the
22 ULUR process would be required as part of eminent
23 domain or acquisition, if ULUR is necessary for
24 voluntary acquisition, the City is a different
25 matter -- and the question is whether that process

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2 can be also used for general rezoning.

3 The City can do what it wants, but it
4 needs to adhere to the schedule in this document
5 for completing the ULUR process. And if it goes
6 through the process as a general area-wide
7 rezoning, it will not happen, it will not meet its
8 deadline. So I predict they will not do that.

9 Next.

10 MR. HIGGINS: My name is Michael
11 Higgins, Jr., I'm an organizer at -- for equality.
12 We have members in Gowanus Houses, we've been doing
13 work around the Superfunds since the storm
14 happened. We were on the ground when the first
15 responders, to give residents food, water,
16 medicine, whatever they needed we tried to make
17 that happen.

18 I have to make sure that we continue to
19 put the equity issue in front. The Gowanus Houses,
20 in addition to Wyckoff Gardens and -- houses have
21 4500 residents in the vicinity of the Canal. We're
22 talking about the poorest residents of this
23 community, who often have severe asthma issues,
24 respiratory issues, health issues while living in
25 the vicinity of the Canal.

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2 And while I don't doubt this will be a
3 very expensive undertaking, I think that this is
4 the right decision; and that we shouldn't
5 necessarily take this little bit of park land that
6 they have, that's accessible and in walking
7 distance of their homes, to make this happen
8 quicker.

9 That said, I will say my question more
10 quickly. I want to be very clear. Who would be
11 responsible for the construction and maintenance of
12 the temporary and permanent facilities at Thomas
13 Greene Park while the clean-up happens?

14 I'd also like to ask -- I see that the
15 Assemblywoman is in the building -- is there still
16 any legal requirement for the state legislature to
17 pass a resolution regarding the alienation of park
18 land?

19 Last but not least. What is the
20 estimated length for disruption for remediation and
21 reconstruction within the park?

22 MR. MUGDAN: So, the question of who is
23 responsible for building and maintaining the
24 temporary and permanent park. National Grid is
25 going to be responsible for building the temporary

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2 park. The City will be responsible for operating
3 it, as they would with any other park.

4 And likewise the permanent park. Once
5 the disruption is over and the park is restored,
6 Grid and probably the City will share some of those
7 costs. That will depend on negotiations between
8 them, and the City ultimately will be responsible
9 for operating it, just as it does today.

10 In terms of the legal requirements
11 regarding alienation, I think --

12 MR. HIGGINS: Is there any legal
13 requirement for the state legislature --

14 MR. MUGDAN: Whether the state
15 legislature has to get involved in alienation.
16 That was actually a difference of opinion between
17 ourselves and the City of New York. The City of
18 New York said yes. The normal requirement for
19 state legislative approval of any alienation of
20 park land would apply.

21 We took the position and we take the
22 position that if the tank were placed in the park,
23 it would be in furtherance of a federal Superfund
24 mandate; and therefore there would be no need to go
25 to the state legislature.

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2 That was a point of difference of
3 opinion, of legal opinion between ourselves and the
4 City; and the prospect for litigation is there.
5 That is one of the things I alluded to earlier.

6 So that's an open question, but it was
7 part of what we thought of --

8 The question about how long the park
9 disruption will take, that is going to be a subject
10 for these further negotiations, first an
11 administrative order with National Grid to remove
12 the coal tar contamination from underneath the
13 park.

14 Again, in the sequence of events, the
15 first thing they have to do is site the temporary
16 park; and the pool, the second thing it has to do
17 is remove the current pool, remove the coal tar
18 contaminated soil from below. And then in
19 coordination with the City there has to be a
20 restoration of the existing park.

21 Grid's obligation would be to pay the
22 amount of money that would be appropriate to
23 restore the existing pool facility. It may very
24 well be that in consultation with the community the
25 City decides at that point, since the pool has been

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2 dismantled in any event, it may be time to build a
3 better pool.

4 Yes, the pool is used heavily. We're
5 told it had 40,000 users last year. But I looked
6 at it, and it's not the best pool facility in the
7 City of New York. So this may be an opportunity to
8 build a better pool, and that would be something I
9 assume the City will work together with the
10 community on.

11 Is that correct, Commissioner?
12 Commissioner Jeffrey is here from the Parks
13 Department.

14 He's nodding his head yes.

15 Next speaker.

16 MS. PARKER: Andrea Parker, Gowanus
17 Canal Conservancy.

18 A) I very much appreciate the fact this
19 is all finally starting to wrap up, first of all,
20 to get to a decision. I think there's a lot more
21 enormous decisions that we're going to have to make
22 in the next however many years as the process goes
23 on.

24 A couple questions. A) It's great to
25 have a schedule and a timeline and have a better

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2 understanding of how this work is actually going to
3 happen. I do not totally understand why we need
4 four years to come up with a design; and I fear
5 it's because it's enabling eminent domain instead
6 of allowing an agreement with the property owner.

7 MR. MUGDAN: You're right. The four
8 years is for the ULUR and CEQR process to go
9 through, and to provide some period of time during
10 which the administrative action, make a choice to
11 go into eminent domain to carry it out, and the
12 possible litigation at that stage of the game.
13 Before eminent domain occurs, that's what the four
14 year schedule is there to do, enable.

15 So yes, you're absolutely right, it's
16 there because of the acquisition process. Whether
17 it's a voluntary acquisition, which still requires
18 in their judgment the ULUR process, or whether it's
19 eminent domain, which however then also runs the
20 risk of litigation; prior to the time the City can
21 actually take title.

22 After that, there's a second possibility
23 for litigation, as I said earlier, but that one
24 doesn't stop the transfer of title.

25 MS. PARKER: So since we may have four

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2 years, I think it would be fantastic instead of
3 just having the design presented in four years, we
4 actually have a robust discussion between now and
5 then about what this tank is going to be like, what
6 the head house is going to be like, and what the
7 open space is going to be like, and who is going to
8 build it, who is going to invest it, and who is
9 going to manage it?

10 And I would echo Sean's comment to have
11 more robust language around actually making an open
12 space on top of the tank.

13 Number 3 --

14 MR. MUGDAN: In answer to your question
15 there, the schedule does require the design to be
16 carried out earlier than April 2020. It actually,
17 the first step in the design process, a major step
18 in the design process has to be completed, for
19 example, by June 30 of 2017; another major step.

20 MS. PARKER: That's the demo, not the
21 design.

22 MR. MUGDAN: No, that's the design
23 package. It requires the demolition and then, you
24 are correct, in 2019 is the design package that
25 actually designs the tank. But there are earlier

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2 steps along the way towards those design packages.
3 There's a 35 percent design and a 65 percent
4 design.

5 So some of the key decisions will be
6 made earlier in the process, in order to be able to
7 have the final design done by April 2019. You are
8 right about the sequence, but there are earlier
9 steps in the process to get us to those end days.

10 MS. PARKER: I think that the more the
11 community can actually see those schedules, because
12 it seems that they exist, the more comfortable I
13 will feel with this.

14 Finally, I would love to see a similar
15 schedule for the 007 tank. We can talk about that
16 tomorrow.

17 MR. MUGDAN: Thank you.

18 Next speaker.

19 MR. WILEY: Dan Wiley from Congresswoman
20 Nydia Velazquez's Office. I just wanted to
21 acknowledge the statement you made, that this is an
22 unprecedented Superfund clean-up record of
23 decision, where you had CSO controls as part of the
24 clean-up, which is unprecedented.

25 And I think we should also recognize

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2 maybe not baby steps, but the steps the City has
3 taken that opposed that for years. And I think
4 many in the community are very frustrated with the
5 City for its opposition to the requirements that
6 they actually address the CSO's in a deeper way;
7 that as part of this agreement, they are actually
8 agreeing to do those controls and not challenge
9 those controls. So I just want to acknowledge
10 that.

11 I think we all can probably get a
12 master's if not a Ph.D. in Superfund law; because
13 every time we come to one of these we should be
14 getting AP credit for learning new things. And I
15 in fact learned a new thing in Katia Kelly's
16 questioning, on what about the requirements of what
17 they're putting in the hole that they dig for the
18 tank.

19 And so we learned that there's two
20 species, there's the removal action and there's the
21 remedial action; and that the agreement you have
22 here is something that is an administrative order
23 that can deal with removal actions, but remedial
24 actions need judicial consent decrees with the U.S.
25 District Court order.

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2 So the question is, what is the time
3 frame for that? And obviously the cart can't go
4 before the horse. So the cart has to be finalized,
5 which is this first one. And you also have to get
6 a cart with National Grid.

7 But once National -- I think you said a
8 couple months with National Grid -- how long does
9 this judicial consent decree, which I think goes to
10 a lot of the questions people are asking, it sounds
11 like you can't answer that question because we're
12 not there yet, even though we're getting there.

13 And the last thing is, no one has said
14 environmental justice. But I do want to
15 acknowledge the CAG did pass resolutions asking for
16 EPA to do everything in the kitchen sink. And I
17 think we should acknowledge it's kind of hard for
18 an agency to be able to keep to its original
19 schedule and address some of the environmental
20 justice concerns about access to open space and
21 amenities for lower income people in developments
22 that rely on this pool.

23 So I think it's a lot to ask EPA to be
24 able to both keep to its original time frame and
25 accommodate people who still need access to these

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2 amenities.

3 So I wanted to acknowledge that might be
4 an impossible thing. But that said, we still want
5 to keep this time frame going as fast as possible.

6 MR. MUGDAN: Thank you.

7 You all will be keeping our feet to the
8 fire, I have no doubt. I used to call the removal
9 and remedial action two different flavors of
10 Superfund response action, not two different
11 species. I don't think flavor was a good word here
12 anymore.

13 Next speaker.

14 MS. OLESKER: I'm Lizzy Olesker.

15 I live just a couple blocks away, and I
16 have lived with our Canal for many years, like all
17 of us in the community.

18 I first want to thank you for always
19 being accessible and communicating with us about
20 what's happening. I guess I don't know if I have a
21 question as much as a concern.

22 We're all very wary of negotiations with
23 the City because they have always, or certainly in
24 the beginning, resisted the EPA clean-up, and
25 finally we're getting closer and closer. I guess

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2 my concern is that, you talk about the site at the
3 Thomas Greene Park as ideal, as faster, as less
4 expensive, less complicated.

5 And it seems like it was presented to
6 the community, like it was either or, you would
7 lose the pool, you lose the park land. But that in
8 fact is not the case at all. That park needs to be
9 remediated, it's highly toxic and polluted, and
10 that remediation is going to happen and go forward,
11 and that the park will be disrupted anyway, and
12 that it will be renovated, remediated, and that the
13 building of the tank could happen, in fact, in that
14 space; that you talked about that there can be open
15 space once that tank is there -- so I guess -- and
16 that the pool is inadequate anyway.

17 So my question is, how did this happen?
18 Why are we contemplating another area? I know I'm
19 going backward to the beginning of the meeting.
20 When we talked about that the City said no, no, no,
21 it can't happen in the park space. And why did
22 that happen?

23 Is it because they're saying we have to
24 retain that park space? When in fact it's going
25 to be disrupted, and that's a good thing, because

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2 it's highly polluted. And when we talk about
3 environmental justice --

4 (Applause.)

5 -- and trying to protect that land for
6 the people who need it and for that pool that is
7 very necessary. I just go, why is this happening?
8 And it makes me worried, and to go back to the
9 first comment about the process being boondoggled
10 and being postponed and disruption in the EPA
11 process. That's my concern.

12 MR. MUGDAN: It has to do with the
13 length of the disruption and whether or not the
14 placement of the head house in the park would be a
15 permanent loss. But I will be at the CAG tomorrow
16 night, and I hope you will be able to be there, and
17 we can talk about it further.

18 MS. OLESKER: My question is, why not?
19 Why is this happening?

20 MR. MUGDAN: Again, the answer I gave
21 earlier -- the administrative record, you may not
22 agree. We will be able to talk about it further
23 tomorrow night. I want to make sure that we have
24 opportunity for people to make comments now.

25 I realize I neglected to answer Dan

1 EPA Public Meeting 4/26/16
2 Wiley's question, actually, which is how long the
3 -- negotiations -- when they start, how long they
4 will take?

5 As I said, the negotiations that we
6 anticipate with National Grid, perhaps four to six
7 months, take us to the third or fourth quarter of
8 the calendar year. And then probably sometime
9 thereafter we will start on negotiations for the
10 consent decree.

11 Again, it's going to be extremely
12 complicated, but we hope to have a consent decree
13 in place for the Canal portion of the remedy, in
14 time for the work on the Canal portion of the
15 remedy to start in 2018, I think --

16 Christos, is it 2018 we hope the Canal
17 work will start?

18 MR. TSIAMIS: We hope earlier on the --
19 basin and by 2018 --

20 MR. MUGDAN: Again, the hope was
21 actually even earlier, maybe start in 2017 and in
22 2018 for the head end of the Canal area, what we
23 call RTA-1 work to begin. We have to have a
24 consent decree in place. If this is going to be
25 done pursuant to a consent decree, which we hope,

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2 we have to have in place before the work actually
3 begins.

4 MR. BOGEL: Jim Bogel from Senator
5 Montgomery's office.

6 The fact that we're here tonight hearing
7 that there's a lot of sturm und drang with the
8 negotiations with the City shouldn't be a surprise
9 to any of us.

10 Think back to all those lovely nights
11 when we were here, Cas Halloway -- just suppose.
12 We're not just supposing anything with this
13 agreement. It would be nice to get this all done
14 more quickly. But from what I understand, correct
15 me if I'm wrong, you outlined a series of
16 deadlines, which are the worst possible timetables,
17 not actually what might actually happen.

18 I don't want to go Cas Halloway and say,
19 "Now, just suppose" -- but we could get lucky on
20 this. But the fact is, you guys have muscled the
21 City into committing to doing more under threat of
22 eminent domain and worse than I can recall anybody
23 having gotten out of the City in the last 25 years,
24 and that's something.

25 It's been a very educational process,

1 EPA Public Meeting 4/26/16
2 everybody is understandably impatient for it to get
3 underway and to get done for all the reasons that
4 they've all been talking about tonight.
5 Environmental justice is not the least of it.

6 But when I heard the commitments to,
7 first we have to have a place for the pool, you
8 know. I see all that stuff has been in your
9 calculations, and I fully appreciate that.

10 It's always education. That
11 clarification about the purpose of the head house
12 was very useful. Let's just get going with it.

13 MR. MUGDAN: Thank you.

14 Next speaker?

15 That's it?

16 MS. LONEY: Thank you, everyone, for
17 coming out. I want to point out a couple major
18 items.

19 Number 1, the comment period, we are now
20 on record the comment period has been extended to
21 May 31. You can send your comments via e-mail to
22 mugdan.walter@epa.gov. The comments that you made
23 tonight are part of the record. So if your comment
24 was what you said tonight, you don't necessarily
25 have to resubmit it.

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2 In addition, tomorrow night is the
3 monthly Gowanus Canal Community Advisory Group
4 meeting. It's taking place at the Mary Star of the
5 Sea Senior Apartments, that's 41 First Street, at
6 6:30 p.m. You will get to see me again --

7 (Laughter.)

8 -- you'll see Walter again.

9 I expect to see all of you there
10 tomorrow night.

11 MR. MUGDAN: Thank you all very much.
12 Thank you for coming.

13 MS. LONEY: I got a card from Anna --
14 community liaison from Comptroller Scott Stringer's
15 office. She heard your comments and I'm sure
16 she'll be transmitting it to him.

17 Thank you so much.

18 (Matter concluded.)

19 (Time noted: 8:56 p.m.)

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C E R T I F I C A T I O N

I, Jeffrey Shapiro, a Shorthand Reporter and Notary Public, within and for the State of New York, do hereby certify that I reported the proceedings in the within-entitled matter, on Monday, April 25, 2016, at P.S. 32, 327 Hoyt Street, Brooklyn, New York, and that this is an accurate transcription of these proceedings.

IN WITNESS WHEREOF, I have hereunto set my hand this 9th day of May, 2016.

JEFFREY SHAPIRO

**RESPONSIVENESS SUMMARY
APPENDIX 3
E-MAILS AND LETTERS RECEIVED DURING THE COMMENT
PERIOD**

From: [Mugdan, Walter](#)
To: [Carr, Brian](#)
Subject: FW: Comment -- EPA Proposal re Gowanus CSO tanks
Date: Monday, May 23, 2016 4:59:13 PM

From: Marion Yuen [mailto:myuen@pipeline.com]
Sent: Wednesday, April 27, 2016 11:39 AM
To: Mugdan, Walter <Mugdan.Walter@epa.gov>
Cc: Sue Wolfe <Sue.Wolfe@corcoran.com>; sabine13@gmail.com; Lisa Bloodgood <LBloodgood@council.nyc.gov>; Julie Bero <JBero@council.nyc.gov>; Catherine Zinnel <czinnel@council.nyc.gov>; Daniel.Wiley@mail.house.gov; Ben Jones <benjaminwadejones@yahoo.com>; Andrea Parker <andrea@gowanuscanalconservancy.org>; David Briggs <dbriggs@gowanusbydesign.org>; simon.joanne@verizon.net
Subject: Comment -- EPA Proposal re Gowanus CSO tanks

Mr. Mudgan:

Thank you for your clear and patient explanations both at the 4/25 public meeting and last night's CAG meeting.

On both occasions, there were comments questioning whether Thomas Greene Park and parkland in the area justify the attention, effort, and proposed money spent. At the CAG meeting, it was pointed out that the area could well be the most densely populated Superfund site in the country.

Given the above, I want to share with you the following study.

On 4/14/16, a Harvard team published this.

<http://ehp.niehs.nih.gov/15-10363/> --

Exposure to Greenness and Mortality in a Nationwide Prospective Cohort Study of Women

Full paper at the link above.

Background: Green, natural environments may ameliorate adverse environmental exposures (e.g. air pollution, noise, and extreme heat), increase physical activity and social engagement, and lower stress.

Objectives: We aimed to examine the prospective association between residential greenness and mortality.

Methods: Using data from the US-based Nurses' Health Study prospective cohort, we defined cumulative average time-varying seasonal greenness surrounding each participant's address using satellite imagery (Normalized Difference Vegetation Index (NDVI)). We followed 108,630 women and observed 8,604 deaths between 2000-2008.

Results: In models adjusted for mortality risk factors (age, race/ethnicity, smoking, and individual- and area-level socioeconomic status), women living in the highest quintile of cumulative average greenness (accounting for changes in residence during follow-up) in the 250m area around their home had a 12% lower rate of all-cause non-accidental mortality (95% CI 0.82, 0.94) compared to those in the lowest quintile. Results were consistent for the 1,250m area, although the relationship was slightly attenuated. These associations were strongest for respiratory and cancer mortality. Findings from a mediation analysis suggest that the association between greenness and mortality may be at least partly mediated by physical activity, particulate matter less than 2.5 micrometers, social engagement, and depression.

Conclusions: Higher levels of green vegetation were associated with decreased mortality. Policies to increase vegetation may provide opportunities for physical activity, reduce harmful exposures, increase social engagement, and improve mental health. While planting vegetation may mitigate effects of climate change, evidence of an association between vegetation and lower mortality rates suggests it also might be used to improve health.

Best,

Marion Yuen
917-609-5402

5
Doug S.
6/6/2016
Hofu

284 Smith St., #2
Brooklyn, NY 11231

April 29, 2016

Walter Mugdan
U.S. EPA Superfund Director
290 Broadway, Floor 19
New York, NY 10007

Re: Location of Sewage Retention Tanks at the Gowanus Canal Superfund Site

Dear Mr. Mugdan,

I am a longtime resident of Carroll Gardens, Brooklyn, and live three blocks from the canal. I am writing you because I am concerned about the location of the sewage retention tanks for the Gowanus Canal Superfund Site ("the Site") as recently agreed between the EPA and the City of New York ("the City"), as set forth in the EPA's press release of April 14, 2016.

The EPA had originally proposed that the sewage retention tanks be placed at Thomas Greene Park ("the Park"), one block from the Canal, beneath the current swimming pool located there, which is open two months a year. This made abundant sense, not only because the City owned the land, but also because the swimming pool was situated above coal tar wastes, which, as you know, contain toxins such as PAHs, and the site would have to be remediated by the PRP National Grid in any event. This remediation, by necessity, would require closing the park and excavation of the land underneath the swimming pool, so that much time and money could be saved by constructing the retention tanks immediately following the remediation. The swimming pool would then be restored to the now-untoxic Park.

The City, which is a major PRP for the Site, has opposed this location, ostensibly because it would require the building of a head house in the Park which would, admittedly, occupy some of the Park land. Instead, the City has proposed, and EPA has now tentatively agreed, to take by eminent domain two properties at 234 Butler St. and 242 Nevins St. for the location of retention tank RH-034. The process of eminent domain will take several years, at an estimated cost of \$100 million to taxpayers, and delaying the cleanup of the canal by at least four years (the time in which, by agreement with the EPA, the City will have obtained and prepared the location – no date was actually placed on the completion of the retention tank.)

In response, to avoid eminent domain, the owners of 234 Butler and 242 Nevins have offered to donate to the City land for public use which would make up for any lost space in the Park due to the head house. The City has rejected this offer. The City's motives are unknown, but it fought tooth and nail against designation of the Canal as a Superfund site, and has subsequently worked to delay the cleanup as long as possible. One could speculate that, as a PRP, the longer the cleanup of the Canal is delayed, the more money it saves, and perhaps the City also wishes to capitalize on the increase in value to its new Canal-side property following the cleanup of the Canal.

I urge the EPA to reconsider its agreement with the City regarding the location of the sewage retention tanks. The original proposed location in the Park saves taxpayers millions of dollars through not having to pay for excavation of the land for the tank and not having to pay to take the land for the

tank. Just as importantly, it avoids at least a four-year delay in cleanup of the Canal. It is in the best interest of all City residents if the EPA sites the sewage retention tanks in the Park.

Sincerely,

A handwritten signature in cursive script that reads "Patrick O'Donnell". The signature is written in dark ink and is positioned below the word "Sincerely,".

Patrick O'Donnell

From: [Mugdan, Walter](#)
To: [Carr, Brian](#)
Subject: FW: Gowanus Canal Superfund site - public comments
Date: Monday, May 23, 2016 4:59:02 PM

From: Evo [mailto:evonne.is@gmail.com]
Sent: Tuesday, May 03, 2016 11:15 AM
To: Mugdan, Walter <Mugdan.Walter@epa.gov>; Loney, Natalie <Loney.Natalie@epa.gov>
Subject: Gowanus Canal Superfund site - public comments

To Whom It May Concern,

I highly oppose the use of the Douglass and Degraw community pool and the Thomas Greene Playground as a site for the tank for the Gowanus Canal.

There are many many many empty warehouses in Gowanus that can be sites for this project. to stick it in next to the Gowanus houses and take the only public pool in the area is not only adding insult to the communities here, but it is completely unnecessary: in your presentation you have also proposed and conceded that the tank can be put at the head of the canal.

What's ridiculous is that the reasons for doing it this way are so that people can fish and crab in the canal? that is absolutely ludicrous - did anyone at EPA actually survey the community about this course of action before proposing it? We're definitely glad to have the EPA finally clean the canal after years of waiting so as to reduce health risks to people and the animals who visit here, but ***NOT*** at the cost of taking away our one place of recreation in the area.

Thanks for asking for our public comment - Please re-think this proposal and move this project's tank to the head of the canal.

From: [Mugdan, Walter](mailto:Mugdan.Walter)
To: [Carr, Brian](mailto:Carr.Brian)
Subject: FW: Gowanus Canal
Date: Monday, May 23, 2016 4:58:43 PM

From: Abigail Bedrick [mailto:abigail718@yahoo.com]
Sent: Tuesday, May 03, 2016 10:36 PM
To: Mugdan, Walter <Mugdan.Walter@epa.gov>
Subject: Gowanus Canal

To Whom It May Concern,

I am against the use of the Douglass and Degraw community pool and the Thomas Greene Playground as a site for the tank for the Gowanus Canal.

To stick it in next to the Gowanus Houses and take the only public pool in the area is short sighted and unnecessary. In your presentation you have also proposed and conceded that the tank can be put at the head of the canal.

We're glad to have the EPA finally clean the canal after years of waiting so as to reduce health risks to people and the animals who visit here, but *NOT* at the cost of taking away our one place of recreation in the area.

Thanks for asking for our public comment - Please re-think this proposal consider moving this project' s tank to the head of the canal.

Concerned Carroll Gardens resident,

Abigail Bedrick

From: [Mugdan, Walter](#)
To: [Carr, Brian](#)
Subject: FW: Opposition to plan for Gowanus tank
Date: Monday, May 23, 2016 4:58:54 PM

-----Original Message-----

From: Talya Boston [mailto:talya_boston@yahoo.co.uk]
Sent: Tuesday, May 03, 2016 9:19 PM
To: Mugdan, Walter <Mugdan.Walter@epa.gov>
Cc: Loney, Natalie <Loney.Natalie@epa.gov>
Subject: Opposition to plan for Gowanus tank

Dear Mr Mugdan,

I am writing to voice my opposition to the use of the Douglass and Degraw community pool and the Thomas Greene Playground as a site for the tank for the Gowanus Canal.

I understand from your presentation that you also proposed and conceded that the tank can be put at the head of the canal. It is therefore unconscionable that you would instead place the tank next to Gowanus Houses, an already deprived and stressed community, and in addition remove a much loved community institution and the only public pool in the area. It is a place where all socio economic groups come together, a place that promotes health and wellbeing, and community.

We are very pleased to have the EPA finally clean the canal after years of waiting so as to reduce health risks to people and the animals who visit here, but *NOT* at the cost of taking away one of the few places of recreation in the area.

Thanks for asking for our public comment. Please re-think this proposal and consider moving this project's tank to the head of the canal.

Yours sincerely,

Talya Boston

Sent from my iPhone

From: [Mugdan, Walter](#)
To: [Carr, Brian](#)
Subject: FW: Gowanus Canal RH-034 Tank Location
Date: Monday, May 23, 2016 4:58:35 PM

From: Tricia McGinnis [mailto:tricia.mcginis@gmail.com]
Sent: Thursday, May 05, 2016 11:27 AM
To: Mugdan, Walter <Mugdan.Walter@epa.gov>
Subject: Gowanus Canal RH-034 Tank Location

Mr. Mugdan:

As a member of the Boerum Hill community, I am writing to express my strong support of the Head of Canal location for the RH-034 tank, rather than the Thomas Greene Playground and Douglass and Degraw community pool. The park location may be easier and more economically feasible from EPA's perspective. But from the perspective of community members like myself, that location is not economically viable when you consider the benefits associated with community recreational resources such as a park and pool, which provide significant health and social benefits to the community. At the end of the day, these benefits have an economic value which may not be reflected in EPA's analysis.

Given the role that these resources play in our community, I would support the Head of Canal location. And while it is understandable that NYC should bear some responsibility in supporting this location (per the agreement), it is my hope that the EPA will work collaboratively with the city to ensure it's success.

Thanks for providing the opportunity for comment.

Sincerely,
Tricia McGinnis
Resident of Boerum Hill

From: [Mugdan, Walter](#)
To: [Carr, Brian](#)
Subject: FW: Public Comment : SAVE DOUBLE D!
Date: Monday, May 23, 2016 4:58:28 PM

From: Meredith Davis [mailto:meredithpdavis@gmail.com]
Sent: Monday, May 23, 2016 9:23 AM
To: Mugdan, Walter <Mugdan.Walter@epa.gov>
Subject: Public Comment : SAVE DOUBLE D!

I hope that the plan to avoid a 9-year closure of the Double-D area is approved. I see that this pool is used by many of all classes - from well-off park slope families to kids from NYCHA housing - in fact, it is a nice place for everyone to come together! I dont see how a 9-year closure can be justified when amenities in NYC are SO RARE - our friends who moved to Westchester or NJ go to local public pools that look like *country clubs!*

We cannot sacrifice the public amenities for this cleanup. You are talking about a whole childhood if indeed it is 9 years. The pollution and neglect took a LONG LONG time and now it cant be about doing what is the “most expedient” since we all know the project will take way longer than even the conservative estimates.

In the meanwhile, I still worry about stink. We’ve had very flawed construction with sewage - such as the stinky park on the river - the so-called North River Park...

in any case, you do not have the right to take away the one public park in the immediate area of so much low-income housing. I approve the alternate site.

From: [Mugdan, Walter](#)
To: [Carr, Brian](#)
Subject: FW: Public Comment : SAVE DOUBLE D!
Date: Monday, May 23, 2016 4:57:53 PM

From: mdavis [mailto:mdavis1@ramapo.edu]
Sent: Monday, May 23, 2016 11:50 AM
To: Mugdan, Walter <Mugdan.Walter@epa.gov>
Subject: Re: Public Comment : SAVE DOUBLE D!

After watching the public comments I want to note that the ONLY person of color who spoke was the one who cared most about length of time that DD and Greene Park would be closed. Others who opposed the use of the Head of Canal site were all middle class white people. I am a middle class white homeowner, but it is my preference as a person and duty as a citizen to make decisions with ALL my neighbors in mind. the DD pool is well-used and well-loved. The park should be cleaned up and replaced and made even better. I support the choices that will lead to least possible permanent loss/ or long-term disruption of this public land, period.

On May 23, 2016, at 11:32 AM, Mugdan, Walter <Mugdan.Walter@epa.gov> wrote:

Thanks for your kind words. Your comments will be considered and included in the administrative record.

From: Meredith Davis [mailto:meredithpdavis@gmail.com]
Sent: Monday, May 23, 2016 11:14 AM
To: Mugdan, Walter <Mugdan.Walter@epa.gov>
Subject: Re: Public Comment : SAVE DOUBLE D!

I watched the entire video from the Public comment meeting. Congrats on being such a professional and intelligent presenter!
I still support the use of the Head of Canal site - yes, perhaps it is a potential "boondoggle" but I don't think we should assume that it will be one. Maybe it won't! I think there will be a net gain of public land in an area with few amenities and I stand by the use of new property, if the City of New York can make it work.

I am a homeowner on Douglass street and 4th ave (corner) about 2 blocks from site. I have lived here for 12 years.

On May 23, 2016, at 9:23 AM, Meredith Davis <meredithpdavis@gmail.com> wrote:

I hope that the plan to avoid a 9-year closure of the Double-D area is approved. I see that this pool is used by many of all classes - from well-off park slope families to kids from NYCHA housing - in fact, it is a nice place for everyone to come together! I don't see how a 9-

year closure can be justified when amenities in NYC are SO RARE - our friends who moved to Westchester or NJ go to local public pools that look like *country clubs!*

We cannot sacrifice the public amenities for this cleanup. You are talking about a whole childhood if indeed it is 9 years. The pollution and neglect took a LONG LONG time and now it cant be about doing what is the “most expedient” since we all know the project will take way longer than even the conservative estimates.

In the meanwhile, I still worry about stink. We’ve had very flawed construction with sewage - such as the stinky park on the river - the so-called North River Park...

in any case, you do not have the right to take away the one public park in the immediate area of so much low-income housing. I approve the alternate site.

From: [Mugdan, Walter](mailto:Mugdan.Walter)
To: [Carr, Brian](mailto:Carr.Brian)
Subject: FW: PUBLIC COMMENT
Date: Monday, May 23, 2016 4:58:19 PM

From: sanitationrepair@aol.com [mailto:sanitationrepair@aol.com]
Sent: Monday, May 23, 2016 9:35 AM
To: Mugdan, Walter <Mugdan.Walter@epa.gov>
Subject: PUBLIC COMMENT

Dear Mr Mugden,

I am commenting on the decision of EPA to install the tanks on the site of 234 Butler & 242 Nevins St.

I find this process between NYC DEP , PARKS and EPA totally unethical. Commission Emily Lloyd from DEP and Commissioner Mitchel Silver were allowed to meet with your boss, Judith Enck , to defend their proposal to put the tanks on our property. Yet we as owner's of the property were totally disgarded, and not given the same opportunity.

As an owner, I find the entire process unfair. We were consistently told the tanks would never go on our property by the EPA . Only to be lied to. This whole process has been a stall tactic by NYC to up ease the community.

I understand regardless of what is said, politics played a choice in this decision.

I urge EPA to reconsider there decision!!!.

This is a mistake, and I as well as the other owners will not go down without a fight. These properties have been in our families for will over 45 years, and to just lose them for a tank would be unacceptable. There are plenty of locations to put the tanks. Even in the canal itself!. The potential loss of development, and generating money for NYC is greater than putting a hole in the ground.

I hope the EPA rectifies the problem.

Sal TAgliavia
OWNER 226 Nevins St.

From: [KATIA Kelly](#)
To: [Tsiamis, Christos](#); [Carr, Brian](#); [Loney, Natalie](#)
Subject: Fw: Public Comment Regarding Gowanus Canal Superfund Administrative Settlement Agreement between EPA and DEP
Date: Tuesday, May 24, 2016 8:16:20 AM
Attachments: [Screen Shot 2016-05-23 at 5.28.04 PM.png](#)
[Screen Shot 2016-05-23 at 5.30.19 PM.png](#)
[Screen Shot 2016-05-23 at 4.28.41 PM.png](#)
[fa5f8ea9a7c64944904f9f9dd9c6c5f3.jpg](#)

Please find below my public comment sent to Judith Enck.

From: KATIA Kelly <kelly_katia@hotmail.com>
Sent: Tuesday, May 24, 2016 12:12 PM
To: enck.judith@epa.gov
Cc: Mccarthy.Gina@epa.gov; mugdan.walter@epa.gov; brad@bradlander.com; levin2013@gmail.com; Nydia.Velazquez@mail.house.gov; Daniel.Wiley@mail.house.gov; montgome@nysenate.gov; jvogel@senate.state.ny.us; JoAnneSimon52ndAD@gmail.com
Subject: Public Comment Regarding Gowanus Canal Superfund Administrative Settlement Agreement between EPA and DEP

Regarding :
Gowanus Canal Administrative Settlement Agreement And Order For Remedial Design, Removal Action and Cost Recovery

Dear Administrator Enck,

I would like to express my absolute dismay over the proposed agreement between the Environmental Protection Agency and the City of New York to situate one of the two retention tanks mandated in the Record of Decision at the head of the Canal rather than at the EPA suggested site which is under the pool in the Thomas Greene Park.

As a member of the Carroll Gardens/ Gowanus Community and a founding member of the Gowanus Canal Superfund Community Advisory Group, I am at a loss to explain why you and your Agency would enter into an agreement with the City, a Potentially Responsible Party, that:

- will cost tax and rate payers hundreds of millions of dollars more than if the tank were to be placed under Thomas Greene Park. (In [her 2016-2019 budget](#), NYC DEP Commissioner Lloyd set aside \$510 million to cover "*the cost to secure land, design two CSO tanks and construct ONE of the two planned CSO tanks adjacent to the Gowanus Canal*". EPA estimated the entire clean-up of the Gowanus Superfund Site at \$500 million.)

- relies on the taking of two privately owned sites, 234 Butler Street and 242 Nevins

Street, by eminent domain. A third site, 270 Nevins Street, may also be seized by the City. This would displace [Eastern Effects](#), a successful film and television studio, which employs anywhere from 350 to 450 employees, and contributes, by their estimate, approximately, four million dollars (\$4,000,000) per year to the local economy.

Somehow, one cannot shake the suspicion that this is all a huge land grab by the city and more tied to the imminent rezoning of the Gowanus corridor than to an honest willingness to assume responsibility for polluting the canal.

- would grant the City more than four years to negotiate the unnecessary legal wrangling associated with condemnation and ULURP certification.

- would allow the City to re-contaminate the canal with CSO after it has been dredged and capped. (Walter Mugdan, at a public meeting, mentioned that 2-8 years could pass between dredging and the completion of the tank.)

I fail to see any benefits for the community in this agreement. I do not believe, as EPA implies, that a 'covenant not to sue' by the City is worth paying twice as much for the remedy, years of additional CSO contamination, and additional cleaning AFTER remediation.

Surely, the threat of a law suit by a PRP is business as usual for the EPA. One would expect nothing less from a polluter. Why then, in this case, does it seem as if the Federal Government is bending backwards to placate the City, which has done precious little to address its environmental responsibility in Gowanus.

It would also appear that the EPA administration was blinded by the City's assertion that using Douglass Greene Park for the siting of the retention tank constituted 'park alienation'. I believe that the City used the shortage of green space and the temporary loss of an amenity like the Double D Pool as a diversion. The real environmental justice issue has always been the fact that the City chose to build a park and pool on a heavily polluted former MGP site, thereby exposing generations of children to possible harm.

It seems ironic that the City continues to use our 1.8 mile long canal as an open sewer, thereby preventing the community from enjoying the roughly 12 acres of recreational public space the Gowanus could provide if cleaned.

I strongly believe that the EPA should NOT sign the agreement and not allow a PRP to renegotiate the timeline set forth in the Record of Decision. The EPA should compel the City to work with National Grid to site the tank under the Double D pool in Thomas Greene Park. If the DEP insists on building a head house and wants to increase park land, it should purchase either [233-239 Nevins Street](#) or 537 Sackett Street, both currently for sale and located directly adjacent to the lots the City plans on seizing.

This would be a win-win-win situation for the community, the DEP and the EPA since it would address all concerns and needs at once.

The residents living near the Gowanus Canal put their trust in EPA when they overwhelmingly supported the listing of their polluted waterway as a Superfund site.

Please don't forsake the interests of the community to accommodate a PRP.

Respectfully,
Katia Kelly
718 625 5424

CC:
EPA Administrator Gina McCarthy
Walter Mugdan, EPA Region 2 Superfund Director
Mayor Bill DeBlasio
NY State Senator Velmanette Montgomery
Congresswoman Nydia Velázquez
Assemblywoman Jo Anne Simon
Councilman Brad Lander
Councilman Steve Levin



234 BUTLER

242 NEVINS

270 NEVINS

545 SACKETT
(for sale)





AWAYE REALTY

233-239 NEVINS STREET, BROOKLYN, NY



www.awayerealty.com

718.488.0800

522A Court Street, Brooklyn NY 11231

From: [Mugdan, Walter](#)
To: [Singerman, Joel](#); [Carr, Brian](#)
Subject: FW: Regarding : Gowanus Canal Administrative Settlement Agreement And Order For Remedial Design, Removal Action and Cost Recovery
Date: Friday, May 27, 2016 1:57:17 PM

From: CG CORD [mailto:cgcord@gmail.com]
Sent: Tuesday, May 24, 2016 6:32 PM
To: Mugdan, Walter <Mugdan.Walter@epa.gov>; Enck, Judith <Enck.Judith@epa.gov>
Subject: Regarding : Gowanus Canal Administrative Settlement Agreement And Order For Remedial Design, Removal Action and Cost Recovery

**CG CORD/Carroll Gardens-Gowanus
Coalition for Respectful Development**

Regarding :
Gowanus Canal Administrative Settlement Agreement And Order For Remedial Design, Removal Action and Cost Recovery
May 24, 2016

Dear Administrator Enck and Director Mugdan,

It is with deeply conflicting emotions and heavy hearts that we write to you regarding the pending agreement between the EPA and the City of New York.

Our organization, CORD, is a completely volunteer group. We are local residents, home owners, business owners, parents, children and grandparents. We do not have nor have we ever sought not for profit status. We receive funds from no one and we do not seek or accept donations. We devote our time to our community simply because we care.

Once the Gowanus Canal was nominated to the NPL, we spent a great of time advocating for it. We celebrated its listing. We championed your presence in our neighborhood and we listened very carefully to you.

We immediately applied for and became members of the Community Advisory Group and carried back all of the information we received there to our members.

We established a relationship with our EPA "team". We rejoiced in the accessibility and transparency they provided. We grew fond of them and still believe that they represent the finest example of how any government agency and its employees should conduct themselves.

When the ROD was issued, because we were listening carefully, we understood that the only "negotiable" part of the ROD was the inclusion of a containment facility in Red Hook. The Red Hook community said 'NO' and it was dropped.

But, in spite of the fact that EPA often spoke of how they do not get involved in land use--and that only the containment facility was negotiable, the retention tank sitings were suddenly up in the air.

We were certain that common sense, a sense of purpose and fiscal responsibility would prevail. But unfortunately, a grandiose Gowanus land-use plan somewhat disguised as a crusade to save a swimming pool that is situated above highly

contaminated earth, is going to delay the cleanup by a number of years. This will cost private property owners their land, businesses their livelihood, many employees their jobs and taxpayers a big hit to their pockets.

Add to the above the most painful cost of all--a recontamination of the expensive Canal cleanup before anyone gets to enjoy the fully realized benefits of this costly and complicated remediation.

We understand that EPA gets an assurance that NYC will not pursue litigation regarding the necessity of the retention tanks. Okay. That is a good thing, we suppose, but it comes at an extremely high price to the community and seems pitifully inequitable.

So, although we understand that the EPA has tried to make a good deal with NYC that appeases some folks, eliminates the possibility of (even more) lengthy litigation, and eventually gets the job "sort of" done, we so hoped and believed that "sort of" would never be good enough for our heroes at the EPA.

Finally, we cannot help but wonder what kind of precedent this will set with the other major PRP, National Grid as well as for other future Superfund sites.

We were the first ever Superfund site in NYC.

The plan and subsequent ROD was as big, bold, encompassing and complicated as the Gowanus is contaminated.

The cost analysis was calculated, thoughtful and responsible.

The rewards were to be enormous- a healthier environment, an urban waterway with drastically reduced toxins AND pathogens surrounded by many acres of open green space along its banks.

We loved it. We believed in it. We counted on it.

How tragic that this historic project will not be remembered in this way. Instead, it's legacy will be the Superfund site where the EPA did, indeed, get involved in land-use.

It will be the site where a great deal of taxpayers' monies were spent on a job that was only "sort of" successful.

The waterway's quasi-clean condition necessitating further remediation post-cleaning and capping will certainly appear wasteful--a black eye to the Superfund program since after all, you were supposed to be the final word.

And worst of all, the Superfund site where the Record of Decision became the Record of Indecision and Genuflection to Political Pressure brought to us by the Grand Puppeteers--the Development Gods of NYC.

It is all so terribly disheartening and sad.

Sincerely,

CG CORD/Carroll Gardens-Gowanus Coalition for Respectful Development

cgcord@gmail.com

Cell 917-558-6157

[LINK](#)

From: [Mugdan, Walter](#)
To: [Singerman, Joel](#); [Carr, Brian](#)
Subject: FW: Gowanus Retention Tanks
Date: Friday, May 27, 2016 1:57:23 PM

-----Original Message-----

From: Mark Shames [<mailto:mcsshames@hotmail.com>]
Sent: Wednesday, May 25, 2016 2:49 PM
To: Mugdan, Walter <Mugdan.Walter@epa.gov>
Subject: Gowanus Retention Tanks

Dear Walter:

I agree that the placement of the head end tank at the DD pool site that was suggested in the ROD is the surest approach to a reasonably comprehensive and expedited clean up.

That being said I have no serious objection to the City's preferred placement at the head of the canal. I do believe that if the agreement is finalized the process ought to be expedited through the use of federal authority rather than through a needlessly lengthy and unenlightening ULURP process. I further believe that the City should continue to explore a cooperative approach with Alloy but that can not be compelled.

The City approach does have the benefit of assuring that the "Alloy site" and "Eastern Effects" sites have toxic hotspots removed in a timely manner rather than opportunistically as DEC has suggested. Presumably the Alloy site would be remediated in any event but market conditions could change. Certainly the Eastern Effects site would not see removal, as I currently understand the situation, for another 15 years (at least) if it is not taken as a staging area. If there is a means of removal without disrupting the business no one has come forward to state how yet.

Of course it is imperative that there be an interim pool and park in any event and that the process must end with a permanent pool and park. I have every faith that you mean what you have said in this regard.

I would very much like to see all interested governmental parties find a means of protecting Eastern Effects and particularly its innocent workers from its unfortunate decision to invest so heavily on a highly polluted site and to compound that error by relinquishing an interest in any eminent domain award. However, that should not be accomplished at the expense of upland remediation.

Best of luck to all of us moving forward we will need it,

Mark Shames

From: [Mugdan, Walter](mailto:Mugdan.Walter@epa.gov)
To: [Singerman, Joel](mailto:Singerman.Joel@epa.gov); [Carr, Brian](mailto:Carr.Brian@epa.gov)
Subject: FW: Regarding: Gowanus Canal Administrative Settlement Agreement/Public Comment
Date: Friday, May 27, 2016 1:57:16 PM

From: joeandlinda393@aol.com [mailto:joeandlinda393@aol.com]
Sent: Wednesday, May 25, 2016 11:11 AM
To: Mccarthy, Gina <McCarthy.Gina@epa.gov>; Enck, Judith <Enck.Judith@epa.gov>; Mugdan, Walter <Mugdan.Walter@epa.gov>
Subject: Fwd: Regarding: Gowanus Canal Administrative Settlement Agreement/Public Comment

Dear Gina McCarthy and Judith Enck and Walter Mugdan,

I am a member of the Gowanus Community and co founder of a non profit organization called Friends and Residents Of Greater Gowanus (FROGG).

FROGG's mission has always been to work for a better and cleaner environment for the Gowanus Canal Corridor. FROGG worked very hard with others in the community to get the Superfund designation for the Gowanus Canal.

All we want is clean to water!

I do not understand why DEC and DEP are trying to sabotage the Superfund clean up. The tactic to play policy games is extremely distressing. Why is the City and the State not trying to fulfill the promise of a better environment and a healthy future for this community?

The threat of the use of eminent domain is a weapon of destruction! This measure would also delay (possibly many more years and much more City and State funds) the work of the Federal EPA.

It is very disturbing to know that the EPA administrator is undermining the efforts and science of her own agency.

If the DEC and DEP are to proceed with the use of eminent domain - the following information is quite pertinent and mandatory requirement according to Section 106 of the Historic Resources Act.

I point out that: "As a function of the DEIS for the proposed Gowanus Canal Corridor Rezoning, a letter detailing all of the projected and potential development sites and their respective lots within each development site was submitted to LPC (Landmarks Preservation Commission) for their review." Information dated 2008. The Louis Berger Group.

LPC determined that 12 lots had the potential to contain intact historic archaeological resources. Ten of the lots were found to be potentially sensitive for nineteenth century deposits relating to the construction of the Gowanus Canal bulkhead. LPC determined that four lots had the potential to possess nineteenth century archaeological resources. In accordance with the CEQR guidelines, this review established the Area of Potential Effect (APE) for archaeological resources, that may be adversely impacted by the components of the proposed action (eminent domain)

For example Block 424, (currently Eastern Effects Company) and one of the potential takings (eminent domain) by the city, lot 21 began in the early 1700's with the construction of the Gowanus Canal, which extended across the project area of the Historic Road to Freeke's Mill. The site may relate to the historic mill complexes. In August 1776, General George Washington visited the area and viewed it from high ground to the west of Freeke's Mill pond just opposite the terminus of the Porte Road., sadly viewing the battle in progress, with the Hessians pounding the Americans across the narrow pass over Freeke's mill dam where they crowded together. The bodies of nearly a thousand men were counted in the area after the battle.

It is necessary, the City, along with the Federal EPA Region 2 conduct an archaeological dig on the lots for potential archaeology discoveries.

This too will delay and add much more funding, were the City and State to decide to use eminent domain for these archaeological sites.

The decision to make the Union Street Bridge a stationery bridge, again, using eminent domain to take property on the east and west ends of the Canal would also be cause for further and extensive delays for the Superfund clean up and add many more taxpayer \$\$\$.

Please do the right thing. all we want is clean water! Please let EPA Region 2 clean up the Gowanus Canal, NOW!

Sincerely,

Linda Mariano

From: [Mugdan, Walter](#)
To: [Singerman, Joel](#); [Carr, Brian](#)
Subject: FW: Letter to the EPA re: Pending Agreement
Date: Friday, May 27, 2016 1:57:58 PM

From: CG CORD [mailto:cgcord@gmail.com]
Sent: Thursday, May 26, 2016 5:40 PM
To: Mugdan, Walter <Mugdan.Walter@epa.gov>; Enck, Judith <Enck.Judith@epa.gov>
Cc: Carr, Brian <Carr.Brian@epa.gov>; Tsiamis, Christos <Tsiamis.Christos@epa.gov>; Loney, Natalie <Loney.Natalie@epa.gov>; Mccarthy, Gina <McCarthy.Gina@epa.gov>
Subject: Letter to the EPA re: Pending Agreement

Dear Administrator Enck and Director Mugdan,

It is with deeply conflicting emotions and heavy hearts that we write to you regarding the pending agreement between the EPA and the City of New York.

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When the ROD was issued, because we were listening carefully, we understood that the only "negotiable" part of the ROD was the inclusion of a containment facility in Red Hook. The Red Hook community said 'NO' and it was dropped.

But, in spite of the fact that EPA often spoke of how they do not get involved in land use--and that only the containment facility was negotiable, the retention tank sitings were suddenly up in the air.

We were certain that common sense, a sense of purpose and fiscal responsibility would prevail, but unfortunately, a grandiose Gowanus land use plan somewhat disguised as a crusade to save a swimming pool situated beneath contaminated earth, is going to delay the cleanup by a number of years, cost private property owners their land, businesses their livelihood, many employees their jobs and taxpayers a big hit to their pockets.

Add to the above the most painful cost of all--a recontamination of the expensive Canal cleanup before anyone gets to enjoy the fully realized benefits of this costly and complicated remediation.

We understand that EPA gets an assurance that NYC will not pursue litigation regarding the necessity of the retention tanks. Ok. That is a good thing, we suppose, but it comes at an extremely high price to the community and seems pitifully inequitable.

So, although we understand that the EPA has tried to make a deal with NYC that appeases some, eliminates the

possibility of (even more) lengthy litigation, and eventually gets the job, "sort of" done, we so hoped and believed that "sort of" would never be good enough for our heroes at the EPA.

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It will be the site where a great deal of taxpayers' monies were spent on a job that was only "sort of" successful.

It's quasi clean condition necessitating further remediation post cleaning and capping will certainly appear wasteful- a black eye to the Superfund program since after all, you were supposed to be the final word.

And worst of all, the Superfund site where the Record of Decision became the Record of Indecision and Genuflection to Political Pressure brought to us by the Grand Puppeteers--the Development Gods of NYC.

It is all so terribly disheartening and sad.

Sincerely,

Lucy DeCarlo, Rita Miller, Triada Samaras
Co-Founders, CG CORD/Carroll Gardens-Gowanus Coalition for Respectful
Development

Web: <http://carrollgardenspetition.blogspot.com>

Email: cgcord@gmail.com

Cell: [917-558-6157](tel:917-558-6157)

From: [Mugdan, Walter](mailto:Mugdan.Walter)
To: [Singerman, Joel](mailto:Singerman.Joel); [Carr, Brian](mailto:Carr.Brian)
Subject: FW: Gowanus Canal Comment
Date: Friday, May 27, 2016 1:57:34 PM

-----Original Message-----

From: Gerry [<mailto:jmiller109@nyc.rr.com>]
Sent: Thursday, May 26, 2016 12:40 PM
To: Mugdan, Walter <Mugdan.Walter@epa.gov>
Cc: Enck, Judith <Enck.Judith@epa.gov>; Tsiamis, Christos <Tsiamis.Christos@epa.gov>; Carr, Brian <Carr.Brian@epa.gov>; Loney, Natalie <Loney.Natalie@epa.gov>
Subject: Gowanus Canal Comment

Dear Walter,

My husband and I are Carroll Gardens homeowners living just a few blocks from the Canal.

We discussed what we would like to say to you regarding the pending agreement between EPA and NYC at great length.

Should we express our frustration? Anger? Dismay? Disappointment? Outrage?

Should we shrug and say- well, at least the clean up plan is still a go-we suppose it will eventually be finished.

Does it really matter to us that it will be a multi year delay, be much more expensive and have to be re cleaned at further taxpayer expense?

Is the seizure of someone else's private property our problem? Are the losses of businesses and jobs that are not our own really significant?

Will the recontamination of the Canal due to the delayed timing (which by your own estimate can be anywhere from 2-8 years) of the retention tank construction/installation post capping and cleaning really make the Canal that dirty?

And then it hit us.

When the Canal was nominated to the NPL there were many people, some business owners and residents as well as local organizations who loudly protested. They claimed the Superfund status was not needed.

They screamed it would take too long, cost too much, endanger property and business and send jobs packing.

Our then Councilman, now Mayor DeBlasio was quoted as saying " the Canal is dirty but it is not that dirty."

The EPA submitted a timeline to the community, began its work and continued to prove those naysayers wrong on each and every one of their points.

So, what we wish to say to you today is that this agreement, coincidentally (?) supported by many of the same people and organizations who opposed the NPL listing--provides us with EXACTLY what the City of New York and the naysayers predicted.

This clean up will now take longer, cost taxpayers much more money, properties will be seized and lost to those owners, jobs will be lost and businesses will be sent packing.

And in the end, Bill DeBlasio's statement will be true--the Canal will be dirty but not that dirty.

We hope that you will reconsider. Don't sign the agreement. Please defend and enforce the original ROD.

Respectfully,
Rita and Gerry Miller
103 2 Place
Brooklyn, NY 11231

Sent from my iPhone

From: [Mugdan, Walter](#)
To: [Singerman, Joel](#); [Carr, Brian](#)
Subject: FW: Gowanus Canal: Comment on on Proposed Settlement Agreement for Siting, Design and Site Prep for RH-034 CSO Retention Tank
Date: Friday, May 27, 2016 1:57:48 PM

-----Original Message-----

From: Carey Ascenzo [<mailto:ckalimba@gmail.com>]
Sent: Thursday, May 26, 2016 2:55 PM
To: Mugdan, Walter <Mugdan.Walter@epa.gov>
Subject: Gowanus Canal: Comment on on Proposed Settlement Agreement for Siting, Design and Site Prep for RH-034 CSO Retention Tank

Dear Mr. Mugdan,

Something stinks in Gowanus – and I'm not talking about the canal.

The proposed use of eminent domain for the siting of the necessary retention tanks could not possibly be a worse decision, designed to set up the project for complete failure.

Why, when there are multiple other viable options, all less expensive and more time-efficient than the eminent domain "solution," has this agreement been allowed to go forward? Is this a deliberate sabotage? Does someone have photographs of EPA Regional Administrator Judith A. Enck with a goat? I begin to think so.

I have lived in the area for over 14 years, supported the Superfund designation and have been following the proceedings closely, looking forward to a day when we can safely enjoy the clean canal waterway the neighborhood deserves, and has worked so hard to attain.

When the Superfund designation finally went through, over the strenuous objections and all the dirty tricks NYC could throw at the process in an effort to weasel out of any responsibility, we were so relieved. We were prepared to live through the inconvenience of the cleanup work that we knew would need to be done, and realistically would take years to complete. The result would be worth it.

But before we've even started, the process has left the community stripped of agency and trust. We feel angered and betrayed as the people and government agents supposed to be advocating for us, have caved to pressure and given us this completely unworkable plan.

The obvious site for the retention tanks is the Thomas Greene Park.

The "Save the Park" petition going around has thrown up a smokescreen around the real issues of this space.

The Park sits on polluted soil and requires remediation in order to be safe – a project which could be folded into the Superfund cleanup, saving time and money. The NYC Parks Department has called the Park "underutilized" as it is, and at present the pool is only open two months out of the year. Impact on the community would therefore be minimized. I believe this option WOULD in fact be saving the Park. It's currently oozing liquid coal tar, for goodness sake! We should be jumping at this opportunity to get it remediated and clean for public use!

This win-win scenario has been rejected.

As an alternative, local developer Alloy has taken the unprecedented step of offering to donate a nearby parcel to City expressly for siting of the retention tanks, in return for certain considerations given to their proposed new office building project in the area.

I understand this solution would also result in additional parkland at the end of the project.

This, too, has been rejected with no explanation.

Eastern Effects at 242 Nevins Street, one of the properties under eminent domain threat by the City, has just put out a very moving letter outlining the devastation this thuggish move would have on their thriving local business and their investment in the area, impacting the local economy significantly. This is a thriving local business that our elected officials are supposed to be trying to protect!

As a well-known and successful film/TV production company, ejecting Eastern Effects would be mud in the City's eye and terrible PR if nothing else. NYC likes to describe itself as supportive to the film and TV industry; hard to believe at this point.

Eastern Effects included an overhead diagram showing three alternate sites nearby that would be better choices for the siting of the retention tanks. I have yet to hear any reasoning for why these sites have not been considered viable options.

Please, do not bow to the crooked demands of one of the main responsible parties for the polluted state of the canal in the first place, to the great detriment of the community you are supposedly trying to improve. Don't waste our time, our money, and our goodwill on a process that purports to be transparent, yet so blatantly rejects community input for obvious selfish gain. Be the force for good that we believed you to be, the reason why we expended so much energy and overcame so many seemingly impossible obstacles to bring our polluted canal to national attention.

Do the right thing and reject this agreement.

Thank you,

Carey Ascenzo

From: [triada samaras](#)
To: [Mugdan, Walter](#); [Enck, Judith](#)
Cc: [Tsiamis, Christos](#); [Carr, Brian](#); [Loney, Natalie](#)
Subject: Letter to the EPA re: the current deal on the table
Date: Thursday, May 26, 2016 11:28:44 PM

Letter to the EPA re: the current deal on the table

Dear Superfund Director Walter Mugdan and EPA Administrator Judith Enck,

It is with many regrets that I write to you regarding your latest plans for the Gowanus Canal Clean-Up. Please understand I am long-time citizen activist who has spent untold hours, always as a volunteer, listening to you.

I have trusted you implicitly. I have believed in you. I have been with you every step of the way in the long and complicated Gowanus Canal Clean-Up process.

As a CAG member, I have reported your words back to the community and I have patiently explained your logic and your thinking in good faith, always believing that you had our highest interests foremost in your minds.

I am not paid by anyone to follow you. Nor am I part of any non-profit group or organization or greater plan. I belong to CG CORD which is an all volunteer coalition.

I am a resident, a home owner, a landlord, a community member, and a concerned citizen. My only objective has always been to advocate for **the smartest, fastest, most comprehensive and least expensive Gowanus Canal clean-up**. This is for the sake of my children, my neighbor's children, my children's children and for the sake of our shared eco system. In other words I care deeply about the present state of our community, the one in which we inhabit, and its future.

Nowhere in my thinking did I foresee a possible **delay** in the Gowanus Canal Clean-Up. Never in my wildest dreams did I foresee the **taking of three private properties** for the canal clean-up when **other properties "for sale" exist across the street as I write this**. In addition, developers like **Alloy** have tried to present valid and creative alternatives to the City.

Nowhere in my imagination did I imagine that the Gowanus Canal clean-up would involve a New York City **land grab**. Never did I foresee the calling of a contaminated area "**valuable parkland**." Nowhere in my wildest dreams did I imagine the Gowanus Canal would get **re-contaminated with CSO's** for years and years after the initial dredging was done!

And perhaps last and worst of all, never did I ever imagine **the Federally Funded EPA would be beholden to a PRP, the City of New York**.

You say this is the best you, the EPA, can do. And that you would like my comments now. This has been a lot to wrap my head around. I am confused, bewildered and I feel betrayed. To me, it would appear as though you, the EPA, is rudderless, that you have caved into the demands of NYC, its ruthless politicians and political system, and that you have lost or gambled away whatever power you once had. I so hope I am wrong.

Therefore I can only say loudly and clearly:

"PLEASE GO BACK TO THE DRAWING BOARD!"

"PLEASE DO NOT SIGN THIS DEAL IN FRONT OF YOU WITH THE CITY!"

"PLEASE FIND ANOTHER AND A BETTER WAY!"

This deal rankles me on so many levels, some of which are mentioned above, But the primary one is this: We the residents have trusted you the EPA to do what is best for our community NOT what is politically expedient! We have entrusted you the EPA with the health and welfare of our children and our children's children! New York City is a PRP. How will making a deal with a PRP play out in the EPA's future in other communities?

Mr. Mugdan and Ms. Enck, PLEASE FIND AN ALTERNATIVE PLAN FOR THE GOWANUS CANAL!

I KNOW YOU CAN DO BETTER!

Sincerely yours,
Triada Samaras

Artist, Adjunct Art Professor, Art Professor in Residence
Kean University and William Paterson University, New Jersey

www.triadasamaras.com

warm regards, Triada Samaras

Artist, Adjunct Art Professor, Art Professor in Residence
Kean University and William Paterson University, New Jersey
www.triadasamaras.com
Cell 917-558-6157



Southwest Brooklyn Industrial Development Corporation
241 41st Street, Brooklyn, NY 11232 * Tel: 718-965-3100 * Fax: 718-577-5858* Web: www.sbidc.org

Walter Mugdan
U.S. EPA Region 2 - Superfund Director
290 Broadway, 19th Floor
New York, N.Y. 10007
mugdan.walter@epa.gov

May 26, 2016

U.S. EPA, REGION 2
ERRD - DIRECTOR'S OFFICE
2016 JUN -1 AM 11:00

To Whom It May Concern:

My name is David Meade, and I am the Executive Director of the Southwest Brooklyn Industrial Development Corporation (SBIDC), a local non-profit economic development organization that has served the industrial, manufacturing, and small businesses of the Southwest Brooklyn waterfront neighborhoods of Gowanus, Red Hook, and Sunset Park since 1978. Our organization is supported by a membership base of local small businesses, and we work to ensure that job-intensive industrial uses remain on a Brooklyn waterfront that has rapidly been lost to rising rents and non-industrial development – often in the form of luxury housing.

On behalf of SBIDC, I write in support of Eastern Effects, Inc., and their effort to prevent the loss of their Gowanus location to eminent domain as part of the Gowanus Canal cleanup effort. While we applaud the fact that both the City of New York and the Federal Government are committed to the cleanup of the Canal, which has remained dangerously polluted for far too long, we strongly urge these parties to consider an alternative, more appropriate site to use as a staging area for the construction of tanks for the project.

As noted by Eastern Effects, there are multiple vacant and/or underutilized sites adjacent to the tank site. Furthermore, the presence of Eastern Effects contributes to the presence of dozens of living-wage jobs in the neighborhood – both directly and indirectly. They are also a good neighbor to the surrounding community, working with local job training programs, as well as with SBIDC on a variety of efforts. Lastly, when Eastern Effects rented this property, they invested millions of dollars, with the intent of remaining in the neighborhood long-term and contributing to its economy. It would be deeply disappointing to see this investment be lost to eminent domain, while a vacant or underutilized lot nearby remained available.

If Eastern Effects' site is used for a staging area and ultimately redeveloped, there is a significant chance that such redevelopment will not be for a comparable industrial use. Instead, like many other Gowanus properties, yet another local business could be lost to luxury development. SBIDC joins with other local non-profit organizations, including Gowanus Alliance, to stand opposed to the taking of the Eastern

Effects site, and the likely resulting loss of dozens of good jobs in the Gowanus area. As longstanding members of the Southwest Brooklyn community and advocates of the working waterfront, we strongly urge the EPA and DEP to consider an alternative staging site as part of the Gowanus Canal Cleanup project.

Sincerely,

A handwritten signature in black ink that reads "David W. Meade". The signature is written in a cursive style with a large initial "D".

David Meade

Executive Director, SBIDC

Paul Basile

President, Gowanus Alliance

A handwritten signature in black ink that reads "Paul Basile". The signature is written in a cursive style with a large initial "P".

From: [Mugdan, Walter](#)
To: [Singerman, Joel](#); [Carr, Brian](#)
Subject: FW: Upset about the EPA water tank decision
Date: Friday, May 27, 2016 1:58:02 PM

From: Warren Cohen [mailto:wjcohen@yahoo.com]
Sent: Thursday, May 26, 2016 6:00 PM
To: Mugdan, Walter <Mugdan.Walter@epa.gov>
Subject: Fw: Upset about the EPA water tank decision

Hi Walter,

I'm a community resident who is very dismayed about the delay in cleaning the Gowanus Canal due to this inexplicable water tank issue.

You promised us at the first meetings that science would trump politics and that expediting the long overdue cleanup would be the priority.

The delay in the location of the water tanks contradicts these promises.

And as a community resident, I know the value of jobs and our neighborhood being a center for high quality film and TV Production (which is my industry actually!) So I oppose the inclusion of the Eastern Effects site in the EPA/DEP agreement, as a staging site during the construction of a sewer tank. The building should remain a TV Film staging site, so long as the businesses owner holds a lease to operate there. I ask the EPA to eliminate any use of the Eastern Effects film studio site from the proposed agreement.

Thank you for your consideration!

Best,
Warren Cohen
44 1st Street
Brooklyn, NY 11231

From: [Mugdan, Walter](#)
To: [Singerman, Joel](#); [Carr, Brian](#)
Subject: FW: Gowanus canal clean up / Eastern Effects
Date: Friday, May 27, 2016 1:57:43 PM

From: Frederic Gindrey [mailto:frederic@gindrey.com]
Sent: Thursday, May 26, 2016 2:46 PM
To: Mugdan, Walter <Mugdan.Walter@epa.gov>
Cc: phil@easterneffects.com
Subject: Re: Gowanus canal clean up / Eastern Effects

Dear Mr Mugdan

I oppose the inclusion of the Eastern Effects site in the EPA/DEP agreement, as a staging site during the construction of a sewer tank. The building should remain a TV Film staging site, so long as the businesses owner holds a lease to operate there. I ask the EPA to eliminate any use of the Eastern Effects film studio site from the proposed agreement.

Frederic Gindrey

(Carroll Gardens resident)

From: [Mugdan, Walter](#)
To: [Singerman, Joel](#); [Carr, Brian](#)
Subject: FW: Retention Tank Siting Decision
Date: Thursday, June 02, 2016 8:06:15 AM

From: Mugdan, Walter
Sent: Friday, May 27, 2016 3:10 PM
To: districtmanager@brooklyncb6.org
Subject: RE: Retention Tank Siting Decision

To the Community Board 6 Executive Committee,

The public comment period on this matter opened on April 14, 2016. It was originally scheduled to close on May 16. We held a well publicized and very well attended public meeting on April 25. On that occasion we received a request for an extension of the comment period, and we provided a 15-day extension to May 31. We also attended the April 26 Community Advisory Group meeting and discussed this proposal at considerable length. These two meetings followed earlier meetings at which we had discussed the issues in quite a bit of detail, including the October 26, 2015 Community Board 6 meeting and the January 19, 2016 CAG meeting.

Under the circumstances, and given the importance of finally bringing this matter to a resolution, we will not be extending the formal comment period further.

Once the formal comment period closes on May 31 we will be reviewing and considering the comments received. We do not yet know how long that process will take, but it will certainly require several days. You are of course welcome to share with us your views at any time. Under our rules we are able -- although not required -- to consider late-submitted comments. I anticipate it is likely that by June 10 we will have completed our review and reached a final decision. The sooner you are able to send us your comments, the more likely it is that we will not yet have completed our review.

Sincerely,

Walter Mugdan, Director
Emergency & Remedial Response Division
U.S. EPA Region 2

From: Craig R. Hammerman [<mailto:districtmanager@brooklyncb6.org>]
Sent: Friday, May 27, 2016 1:40 PM
To: Mugdan, Walter <Mugdan.Walter@epa.gov>
Cc: Tsiamis, Christos <Tsiamis.Christos@epa.gov>; Loney, Natalie <Loney.Natalie@epa.gov>
Subject: Retention Tank Siting Decision

Greetings!

Brooklyn Community Board 6 only recently learned of the final decision for the siting of the retention tanks as part of the Gowanus Superfund clean-up remedy and intends to submit comment to you on the matter. Unfortunately, given the timing on this matter, the earliest opportunity we will have to take this matter up will be at our next Executive Committee meeting on June 6th, whose action would need to be ratified by our full Community Board at their general meeting on June 8th.

For these reasons we are respectfully requesting an opportunity to formally submit comment to you by June 10th, past the EPA's stated deadline for comment which we understand to be on May 31st.

We would appreciate your favorable consideration in this regard and look forward to hearing from you.

Best, Craig

Craig R. Hammerman, *District Manager*
Brooklyn Community Board 6
250 Baltic Street, Brooklyn, NY 11201-6401

t. 718.643.3027 * f. 718.624.8410
w. www.BrooklynCB6.org
e. districtmanager@BrooklynCB6.org

*Serving the neighborhoods of Carroll Gardens/South Brooklyn, Cobble Hill, Columbia Waterfront, Gowanus, Park Slope and **Red Hook***

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Facebook [BrooklynCB6](#) * Twitter [@BrooklynCB6](#) * Instagram [@bkcb6](#)*

From: [Mugdan, Walter](#)
To: [Singerman, Joel](#); [Carr, Brian](#)
Subject: FW: Siting of CSO Tank in Gowanus
Date: Thursday, June 02, 2016 8:06:21 AM

-----Original Message-----

From: Eunice Auer [<mailto:joeunice1976@gmail.com>]
Sent: Saturday, May 28, 2016 3:49 PM
To: Mugdan, Walter <Mugdan.Walter@epa.gov>
Subject: Siting of CSO Tank in Gowanus

It is with much regret that the EPA has allowed the City of New York to delay it's plan on the Siting of the CSO Tanks. The plan of taking two privately owned sites by eminent domain seems absolutely ludicrous ,first the price and then the time it will take. The original siting of the tanks at Thomas Green Park seems to be more cost effective and time wise more efficient.

Why is the EPA even considering this path when the Double D Pool needs to be remediated. There are other options for the city to add green space on property that is currently available for sale and would be more favorable to the neighborhood. Please take into consideration for the communities sake and a faster clean up of the canal.

Sincerely,

Eunice and Joachim Auer
Sent from my iPad

From: [Mugdan, Walter](mailto:Mugdan.Walter)
To: [Singerman, Joel](mailto:Singerman.Joel); [Carr, Brian](mailto:Carr.Brian)
Subject: FW: Eastern Effects and RH-034 concerns
Date: Thursday, June 02, 2016 8:06:54 AM

From: Peter Reich [mailto:swiftfolders@earthlink.net]
Sent: Sunday, May 29, 2016 12:18 PM
To: Mccarthy, Gina <McCarthy.Gina@epa.gov>; Enck, Judith <Enck.Judith@epa.gov>; Mugdan, Walter <Mugdan.Walter@epa.gov>
Subject: Eastern Effects and RH-034 concerns

Dear Gina McCarthy, Judith Enck, and Walter Mugdan

On behalf of the tenants at [280 Nevins Street](#), we write to express our concerns related to the proposed settlement agreement for the siting, design, and site prep for the RH-034 CSO Retention Tank. While we do not wish to debate the proposed location of the tanks, we have significant concerns about the proposed construction staging area, which is proposed to be located at [270 Nevins Street](#).

Eastern Effects, Inc., a film and television studio, currently leases the property at [270 Nevins Street](#); they are currently in the fifth year of a 20-year lease and have invested \$5 million to build the formerly vacant building into a state-of-the-art soundstage. Eastern Effects has always been a good neighbor, quickly resolving any issues between our building and production crews, and they have invested in Gowanus. In addition to the building at 270 Nevins, Eastern Effects has a campus of three other buildings in Gowanus that support television production, including editing suites, writing suites, equipment storage, and office space. These spaces support over 230 jobs, most of which are union, in our community. If the main soundstage is lost, Eastern Effects will not be able to sustain itself and we will lose good-paying jobs in the neighborhood.

There are alternative sites in the area that are more suitable for a temporary staging location. Not only will these sites not displace a thriving local business, they are not adjacent to a building with residential tenants. As neighbors, we believe that there need to be additional considerations placed on the existing uses surrounding the tank site before a decision is made on the staging location.

We hope that the Environmental Protection Agency and the NYC Department of Environmental Protection will consider this request to find an alternative staging location.

Sincerely,
Peter Reich, Karen Gibbons, Anne Twitty, David Waitz, Fanni Kozek, Janice Everett, William Touchet, Denise Touchet, Margaret Maugenest, and David Schlegel
for the

280 Nevins St. Tenants Association

From: [Mugdan, Walter](mailto:Mugdan.Walter)
To: [Singerman, Joel](mailto:Singerman.Joel); [Carr, Brian](mailto:Carr.Brian)
Subject: FW: Proposed Administrative Settlement Agreement/Gowanus/Public Comment on the placement of the Gowanus retention tanks
Date: Thursday, June 02, 2016 8:06:31 AM

From: joeandlinda393@aol.com [mailto:joeandlinda393@aol.com]
Sent: Sunday, May 29, 2016 12:16 AM
To: Mccarthy, Gina <McCarthy.Gina@epa.gov>; Enck, Judith <Enck.Judith@epa.gov>; Mugdan, Walter <Mugdan.Walter@epa.gov>
Subject: Proposed Administrative Settlement Agreement/Gowanus/Public Comment on the placement of the Gowanus retention tanks

Dear Gina McCarthy, Judith Enck, and Walter Mugdan,

According to data collected by Friends and Residents Of Greater Gowanus (FROGG), the Brooklyn Historical Society, and South West Brooklyn Industrial Development Corporation, there are between 350-500 industrial businesses in the Gowanus Corridor. These businesses provide many thousands of union and non union jobs, which provide support for many families. Some of these working industrial businesses go back three generations.

Many businesses suffered intensive damage from Hurricane Sandy, but managed to rebuild their company sites and continue to flourish. They never left Gowanus. Gowanus and the Brooklyn waterfront are the last bastions of industry in the Greater New York area.

Eastern Effects at 270 Nevins Street is one example of an industry working in the area and making the local economy to grow. We believe that displacing Eastern Effects company for a temporary staging area solution for the construction of the Gowanus retention tanks, when there are several viable alternatives - including the original site determined in the ROD, which is based on scientific and monetary calculations - is not only destructive to Eastern Effects, but creates an atmosphere of fear among the other businesses in the Gowanus Corridor.

The original determination made by the EPA should be honored. This is where the tank placement should be. We believe the cry of "park alienation" is a ruse for the ultimate taking of Gowanus by eminent domain rather than going through the rezoning process by City and State.

Please do the right thing - do not use eminent domain in Gowanus and please remember all we want is clean water!

Sincerely,

Linda Mariano and
Margaret Maugenest

From: [Mugdan, Walter](#)
To: [Singerman, Joel](#); [Carr, Brian](#)
Subject: FW: DEPADEP05302016NYCGSCEPAvf
Date: Thursday, June 02, 2016 8:07:21 AM
Attachments: [DEPADEP05302016NYCGSCEPAvf.docx](#)
[~WRD000.jpg](#)

From: Diane Buxbaum [mailto:ddbuxbaum@earthlink.net]
Sent: Monday, May 30, 2016 10:54 PM
To: Mugdan, Walter <Mugdan.Walter@epa.gov>
Cc: Enck, Judith <Enck.Judith@epa.gov>
Subject: DEPADEP05302016NYCGSCEPAvf

May 30, 2016

Walter Mugdan, Director, ERRD, US Environmental Protection Agency, Region 2, 290 Broadway, New York, NY 10007

Diane Buxbaum, Conservation Co-Chair, New York City Group of the Sierra Club, 365 Sackett St, Brooklyn, NY 11231

Comments on Environmental Protection Agency's Proposed Administrative Settlement Agreement with New York City Department of Environmental Protection and Order for Remedial Design, Removal Action, and Cost Recovery for the Gowanus Canal Superfund

The NYC Group of the Sierra Club is disappointed to see that this proposed agreement significantly increases the timeline proposed in the Record of Decision (ROD) issued by EPA for the Gowanus Canal (by an unknowable or undisclosed period of time which may, at the very least, cause two to eight additional years of Canal recontamination).

We are also concerned that this additional delay is due to the EPA's allowing the City to acquire the site for the retention tank processes by eminent domain and suggest that such proceedings not be entered.

We urge EPA and the DEP shorten the proposed timeline by: Holding the City to the timeline for the clean-up which would have taken place if the storm water retention tanks were to be located as proposed in the ROD, in the EPA's proposed locations (under Thomas Greene Park at the Fulton MGP site.).

We urge that there be an acceleration of the design and construction for the 2 retention tanks where possible. And that the design and construction process selected follow the 9 criteria established for Superfund cleanup processes including those that consider the most reasonable cost for the proposed outcome which is certainly not a part of the City proposed revisions.

We urge that DEP engages in design solutions with existing landowners and leaseholders to avoid displacement of business activities in the area.

Finally, the combined sewer system tanks required under the ROD are a vital component of the Gowanus Canal cleanup; without these tanks, the water quality of the Canal can never be remediated, and the public health risks to the community will never be abated. We ask the EPA consider these driving principles -environment and public health -in making its final decisions pursuant to Superfund laws and regulations. We therefore ask that the EPA and the DEP come to an agreement on an amendment to this Order designed to which ensures a quicker cleanup and tank construction timeline for the benefit of the environment and our public health.

Thank you for your consideration.

Sincerely,

Signed

Diane D. Buxbaum, MPH, Conservation Co-Chair, NYC Group of the Sierra Club



Virus-free. www.avast.com

May 30, 2016

Walter Mugdan, Director, ERRD, US Environmental Protection Agency, Region 2, 290 Broadway, New York, NY 10007

Diane Buxbaum, Conservation Co-Chair, New York City Group of the Sierra Club, 365 Sackett St, Brooklyn, NY 11231

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Thank you for your consideration.

Sincerely,

Signed

Diane D. Buxbaum, MPH, Conservation Co-Chair, NYC Group of the Sierra Club

From: [Marlene Donnelly](#)
To: [Loney, Natalie](#)
Cc: [Carr, Brian](#); [Tsiamis, Christos](#)
Subject: Fw: FROGG Comments DEP/EPA agreement-re cost issues
Date: Tuesday, May 31, 2016 1:45:52 PM
Attachments: [FROGG EPA comments May2016.pdf](#)
[DEP pipelineMay10.2016.pdf](#)

cc'ing you on comments submitted regarding the EPA/DEC Agreement-1

From: Marlene Donnelly <Studio460@msn.com>
Sent: Monday, May 30, 2016 10:15 PM
To: Walter Mugdan -EPA; mugdan.walter@epa.gov; Judith Enck
Subject: FROGG Comments DEP/EPA agreement-re cost issues

The attached PDF are additional comments submitted by FROGG, as reviewed in the May FROGG meeting.

text of pdf file

TO: Judith Enck, EPA Region 2 Administrator
and Walter Mugdan, EPA Region 2 Superfund Director
RE: Comments on Gowanus Superfund EPA/DEP proposed agreement

We would first like to thank the EPA for their continued commitment to the inclusion of CSO mitigation measures for the Gowanus Canal under the Superfund Record of Decision. We do believe that CSO reduction is vital to solving the problems of contamination within this constricted public waterway. We further understand that the sewage retention tank is a cost effective and advantageous means to collect the "first-flush" of a rain storm which carries the bulk of contaminants currently being dumped into the canal. However we do not believe that this proposed EPA/DEP agreement for the 8-million gallon sewage holding tank at the canal-side location is in the best interest of the local community, the general public, or the health of the environment. Therefore we ask that the proposed EPA/DEP agreement not be moved forwards as currently configured and encourage the EPA to take what measures are necessary to move forward with the construction of sewage holding tank placed under the existing public pool at Thomas green Park.

In light of the current Proposal we offer the following observations and requests.

ON THE ISSUE OF SIGNIFICANT DIFFERENCE WITH RESPECT TO COST

As stated in the Gowanus ROD, the EPA is under a "statutory requirement that Superfund remedies be cost-effective in that it is the least costly action alternative and will achieve the remediation goals". A primary problem with the proposed agreement is the extreme excessive additional costs which neither the DEP nor the EPA have properly vetted with the public. The EPA must meet their statutory requirement that the significant change in the ROD with respect to cost, is both cost-effective and the least costly of it's alternatives to achieve the remediation goal. Given that the EPA has alternative in this situation, we ask that the EPA provide the community with a cost comparison of alternatives, to be issues and formally reviewed prior entering into any formal agreement with the City.

To clarify concerns we would like to draw your attention to this statement which is taken from the Federal Regulations Title 40: Protection of Environment:

[PART 300—NATIONAL OIL AND HAZARDOUS SUBSTANCES POLLUTION CONTINGENCY PLAN](#) [Subpart E—Hazardous Substance Response](#)

(found at <http://www.ecfr.gov/cgi-bin/text-idx?>

[SID=3137b63999ac2bbda2993df4760d8474&mc=true&node=se40.28.300_1435&rgn=div8](#) note: underlines have been inserted for point of focus):

§300.435 Remedial design/remedial action, operation and maintenance.

(2) After the adoption of the ROD, if the remedial action or enforcement action taken, or the settlement or consent decree entered into, differs significantly from the remedy selected in the ROD with respect to scope, performance, or cost, the lead agency shall consult with the support agency, as appropriate, and shall either:

(i) Publish an explanation of significant differences when the differences in the remedial or enforcement action, settlement, or consent decree significantly change but do not fundamentally alter the remedy selected in the ROD with respect to scope, performance, or cost. To issue an explanation of significant differences, the lead agency shall:

(A) Make the explanation of significant differences and supporting information available to the public in the administrative record established under §300.815 and the information repository; and

(B) Publish a notice that briefly summarizes the explanation of significant differences, including the reasons for such differences, in a major local newspaper of general circulation; or

(ii) Propose an amendment to the ROD if the differences in the remedial or enforcement action, settlement, or consent decree fundamentally alter the basic features of the selected remedy with respect to scope, performance, or cost.

It is apparent that the proposed DEP/EPA agreement for the sewage holding tank at the canal-side location *differs significantly with respect to cost*, as given in the ROD. The ROD specified the cost for this 8-million gallon sewage tank at \$47 million.

Typically a PRP would vet such the proposal of such excessive additional costs through their own corporate business structures. Yet here the city of NY has indiscriminately proposed a plan to spend more than 10 times the cost given in the ROD without seeking any public approval of the plan they have brought to the EPA.

The community and all of the NYC water-rate-payers have not been properly informed about the differences in the overall cost for that tank construction for the canal-side location. Nor has an explanation been given for the significant additional expense. A few community members first become aware that the costs *differs significantly* with the ROD after stumbling upon a Twitter post by Councilman Brad Lander showing that the city has budgeted \$510 million for this Superfund work in Gowanus. This budget number was further verified in the NYCDEP May 10, 2016 Pipeline News Publication that states that over the next 4 years \$560 of \$746 million total proposed for DEP's city-wide budget for CSO projects will go to this work in the Gowanus Canal.

It appears that the cost of the 8-million gallon, canal-side sewage holding tank is being budgeted at more than 10 TIMES the cost projected in the ROD—a jump from \$47 Million to more than Half-a-Billion. This projected cost clearly *differs significantly* from that in the ROD and *fundamentally alters the basic features of the selected remedy with respect to cost*; and therefore we are requesting that prior to endorsing this agreement, the EPA either: (i) Publish an explanation of significant differences, or (ii) Propose an amendment to the ROD. This action on the part of the EPA is necessary given the excessive change in cost which will be incurred.

Both the DEP and the EPA have stated that the primary reason for favoring a canal-side location is to better manage “policy” concerns over the length of time of loss of the use of a public swimming pool due to construction schedules, despite the fact that the EPA is mandating that a temporary pool be provided to the community throughout the duration of any construction period. Furthermore, the construction schedule is under the control of the city, and we understand that it is feasible to construct an 8-million gallon sewage-holding tank in the pool location on a much faster time line, especially given that the DEP is willing to put additional funds to this process. In addition the DEP raised concerns about parkland alienation to which local property owners offered to compensate with new parkland by donating additional adjacent land to the Parks Department. There has been no official response from the City nor assessment given as to how the offer might significantly manage costs of the Superfund work given a retention tank under the swimming pool.

In terms of community impacts, the current proposal appears only to have considered the impacts on the use of the public park but has not weighed other impacts such as the loss of the commercial development proposed by Alloy that would bring thousands of additional jobs into the area, nor the loss of the existing jobs and economic stimulation received from the film studio located on one of the blocks the DEP plans to take position of. We must have a financial assessment that balances the additional costs of half-a-billion dollars with the additional impacts on the commercial and industrial community with those of the benefits that this plan offers to side step construction impacts within Thomas Green Park. Within the range of half-a-billion dollars of costs, there would be many other possibilities to mediate impacts of a retention basin in Thomas Green Park which would also allow for existing businesses to remain and property owners to maintain their ownership rights.

We understand that the EPA must balance city policy issues with the Superfund work that must be done, but we do not believe, given the city's willingness to spend more than a half-a-billion dollars on the work, that a far less expensive, and less disruptive plan which better managed community impacts, could be pulled together at far less than the current half-a-billion dollar proposal using the alternate location under the swimming pool which is why we are asking the EPA not to go forward with the current agreement.

Additional costs have impact on City Wide CSO mitigation

Because these additional costs come out of a city wide budget for CSO mitigation intended for all the city's public waters, it is imperative that the proposed additional costs be present for review by all waterfront communities, and all water-rate payers in the city.

There are legitimate concerns that DEP funds set aside for CSO mitigation be most effectively used towards that purpose. Very much of the additional costs in the EPA/DEP agreement seem to be directed to secondary actions such as ULURP processes and land acquisition costs. And there are the concerns raised by the EPA engineers that the DEP proposed tank design is excessive and redundant in nature, thus driving up the design and construction costs.

The EPA has also stated that the longterm cleanup standard for the Gowanus Canal is limited by the water quality that exists in the East

River and the NY Harbor. It is therefore vital to the Gowanus Cleanup that significant CSO mitigation funds be used to address water quality impacts within the Harbor and the East River. It is therefore vital to the Gowanus Cleanup that the additional \$460 million in costs the DEP has proposed for secondary expenses of the 8-million gallon sewage holding tank, be properly vetted within the context of the whole CSO mitigation problem as it relates to the longterm cleanup of the Gowanus Canal.

This agreement once signed would hold the EPA as responsible for enforcing the City's commitment to undertaking the additional costs that come as a result of the agreement. It is fundamental that the EPA follow through with the required Federal regulations to fully disclose these additional costs to the entire effected public communities prior to finalizing the agreement that will impose significant additional costs above those projected in the ROD, excessive additional costs that may crippling the longterm Cleanup of the Canal as it is also impacted by the flow of water from the harbor and East River.

The included agreement not to sue the EPA

While the proposed EPA/DEP agreement includes a commitment from the City of New York not to sue the EPA over the inclusion of this CSO mitigation measures under the ROD, the current proposal fails to balance the additional costs of the canal-side projected, with the risks of costs of such legal actions incurred if such a suit would take place. It may well be less costly to all tax and water-rate payers to risk, and incur costs of legal action, then it is to incur that additional \$460 million in costs under the DEP proposal. Furthermore, the agreement does not limit the citizens from taking legal action against the EPA and the DEP from moving forward with a plan that has such excessive additional costs—costs which have not be vetted by the public to whom the burden of these expenses falls.

We appreciate the opportunity to submit comments fro review.

With gratitude to the Gowanus EPA design team,

Marlene Donnelly
Friends & Residents of Greater Gowanus, Officer,

Commissioner's Corner



This week's Commissioner's Corner was written by Acting Commissioner **Steven Lawitts**.

Yesterday, I had the opportunity to testify before the City Council's Finance and Environmental Protection Committees concerning the Fiscal Year (FY) 2017 Executive Budget. Our budget outlines the department's priorities for the next several years, and I wanted to share the same information with all of you.

Our expense budget for FY17 includes \$520 million to pay the salaries of our nearly 6,000 employees, \$167 million for taxes on upstate lands that protect water quality, \$92 million for energy costs and \$116 million for chemicals and biosolids.

Our Four-Year Capital Plan budget for FY16-20 is \$12.3 billion, including:

CITY WATER TUNNEL NO.3

The Brooklyn/Queens leg of the tunnel and most of the infrastructure shafts that support it are complete—just two shafts remain to be designed and constructed. **Mayor de Blasio** has prioritized the construction of the remaining two shafts, and has included \$685 million in the Executive Budget and upcoming 10-year strategy, allowing for an accelerated construction of the shafts to begin in 2020, one year earlier than previously projected, as well as ensuring that the tunnel is activation-ready by the end of 2017.

CATSKILL AQUEDUCT RECONSTRUCTION KENSICO TO HILLVIEW

We have budgeted \$144 million for the structural reconstruction and replacement of mechanical equipment of the Lower Catskill Aqueduct. At 100 years old, various mechanical components of the aqueduct and support chambers, gates, valves, roads, and culverts have reached the end of their useful life and need to be upgraded.

SOUTHEAST QUEENS

Alleviating flooding in Southeast Queens is a major priority for New York City. In 2015, as part of One-NYC, Mayor de Blasio announced a \$1.5 billion program to substantially accelerate relief in Southeast Queens by pairing traditional sewer construction with green infrastructure throughout the region. The Four-Year Plan includes \$778 million of this funding.

WASTEWATER TREATMENT

The Four-Year Plan projects a \$5 billion investment in wastewater treatment projects, \$3.5 billion of which is for the reconstruction or replacement of components of the wastewater treatment plants and pumping stations. It is worth noting that \$209 million is budgeted for the construction of a new cogeneration system at the North River Wastewater Treatment Plant. The remaining \$1.5 billion investment will be used to mitigate combined sewer overflows (CSO), with \$645 million for green infra-

structure such as rain gardens and bioswales, and the remainder for gray infrastructure, such as tanks and tunnels to store wastewater.

A significant part of our wastewater treatment budget is \$746 million in funding to cover planned consent-order work related to the Long-Term Control Plans for CSOs and stormwater control. The most significant element of this commitment is \$560 million for improvements to reduce CSO discharges into the Gowanus Canal. In addition, DEP will undertake projects in the Bronx River, Alley Creek, Hutchinson River, and Flushing Creek, as well as measures in other waterbodies.

DRINKING WATER SUPPLY AND DISTRIBUTION

We are proposing to invest an additional \$3.0 billion to protect our reservoirs and improve the integ-

riety of our dams. This funding will also go towards maintaining and repairing the water main system that conveys potable water to all New Yorkers. In addition, for the continuation of our current Filtration Avoidance Determination programs, our budget includes \$139 million, including \$83 million for land acquisition.

SEWERS

The budget projects \$3.0 billion of spending on sewers including \$1.1 billion for replacement of storm, sanitary or combined sewers, \$1.6 billion for new sewers and \$359 million to create Bluebelt systems.

Each one of us plays an important role in protecting public health and the environment in New York City and I'd like to thank you all for your hard work and dedication to our critical mission. The entire budget testimony can be viewed [here](#).

Spotlight on Safety

New Crane Rules

In early February, a crane collapsed onto a Lower Manhattan street, killing one pedestrian and injuring several others as crews attempted to lower the crane during accelerating winds. In response to the incident, safety measures for crane operation throughout New York City were tightened. The previous limit for operation was 25 miles per hour (mph). Now, crawler cranes must stop operating and be secured when there is a forecast for steady wind speeds of 20 mph or higher, or gusts of at least 30 mph, and when actual readings reach

those levels. Other new safety measures include:

- Placing equipment into secure mode at the end of the workday if the forecast for the following workday meets the new limits
- Fines for failing to take appropriate precautions increased from \$4,800 to \$10,000
- Operators must notify nearby residents and businesses before a crane is moved, not only when it is first installed

DEP employees who perform work involving cranes should follow [DEP's Crane & Hoist Safety Policy](#).

At DEP, everyone is responsible for safety. If you or anyone on your team is concerned about your working conditions, it's okay to ask your supervisor or your bureau's EHS liaison how they can help. If you've still got questions, you can call the EHS Employee Concerns Hotline. It's DEP's responsibility to acknowledge and fix unsafe situations, procedures, and practices. With your help, we'll not only get the job done, we'll make it safer for ourselves, our coworkers, our families, and our city. CALL (800) 897-9677 OR SEND A MESSAGE THROUGH [PIPELINE](#). HELP IS ON THE WAY.

'Dam' Good Work



A worker near Gilboa Dam sets rebar for a retaining wall. The wall will support an area near Schoharie Reservoir that will be used to collect and slowly release runoff from the site where workers are building a new release tunnel. The \$142 million project to build release works at Schoharie Reservoir—expected to be completed in the year 2020—includes construction of an intake structure at the bottom of the reservoir, more than 2,000 feet of subsurface tunnels, and a valve chamber along Schoharie Creek.

Welcome Aboard!



Yesterday, 24 new employees attended orientation and received an overview of the department from Acting Commissioner **Steve Lawitts** and Deputy Commissioner for Organizational Development **Diana Jones Ritter**. We hope everyone will join us in welcoming them to DEP!

Winnie Davis with ACCO; **Edouard Beaubrun** and **Alberto Garcia** with BCS; **Arthur Flores**, **Sandy Gonzalez**, **Sheniqua Foster** and **Cindy Singh** with BWS; **John Byrne**, **SM Nazmul Hasan**, **Muhammed Hossain**, **Kristen Johnson**, **Pulkit Kanotra**, **Seong Hee Kim**, and **Zoe Ritter** with BWSO; **Alyssa Calderone**, **Raymond Di Leo**, **Kaitlyn Halloran**, **Joel Martinez**, **Brendan Ross** and **Brian Thompson** with BWT; **Elaine Deschamps-Garcia** and **Oneika Duncan** with CDBG; **Alexander McClean** and **Samantha Young** with Sustainability.

Wetlands Work



This month marks American Wetlands Month—a good time to appreciate marshes, swamps, bogs, fens, and other types of wetlands that provide a home to many species of plants and animals. Of course, wetlands are one of many natural systems that maintain clean drinking water.

DEP will celebrate wetlands month by hosting an educational walk in Westchester County on May 15. The walk will take place on a four-acre wetland that was constructed by DEP in the Town of North Castle. Activities will begin at 10:30am. Parking is available at the former Armonk Bowling Alley on Old Route 22, across from the Beehive Restaurant. The walk will be led by BWS wetland scientist **Frank Parisio**, who will explain the importance of the wetland to the surrounding area, and also provide hands-on opportunities to examine some of the animals and plants that live in the wetland. The educational walk will include wet and dry conditions, so participants are encouraged to bring waterproof boots.

DEP completed construction of the wetland in 2010 to meet the

requirements of a permit issued by the U.S. Army Corps of Engineers for the construction of the Catskill/Delaware Ultraviolet Light Disinfection Facility in Mount Pleasant. DEP created shallow pond and emergent marsh habitat surrounded by shrub and tree plantings. More than 100 plant species have been observed on-site, along with a diverse array of animals such as muskrats, ducks, songbirds, turtles, and numerous amphibians.

In 1991, the U.S. Environmental Protection Agency designated May as American Wetlands Month to celebrate their vital importance to the nation's ecological, economic, and social health. Wetlands, which are transitional lands between aquatic and terrestrial ecosystems, provide a wide variety of beneficial functions. They attenuate flooding, help maintain stream flow, improve water quality, cycle nutrients and carbon, and provide plant and wildlife habitat. Nearly half of the nation's threatened and endangered species rely on wetlands to survive.

We welcome your feedback! To submit an announcement or suggestion, please email us at: newsletter@dep.nyc.gov.



May 30, 2016

TO: Judith Enck, EPA Region 2 Administrator
and Walter Mugdan, EPA Region 2 Superfund Director

RE: Comments on Gowanus Superfund EPA/DEP proposed agreement

We would first like to thank the EPA for their continued commitment to the inclusion of CSO mitigation measures for the Gowanus Canal under the Superfund Record of Decision. We do believe that CSO reduction is vital to solving the problems of contamination within this constricted public waterway. We further understand that the sewage retention tank is a cost effective and advantageous means to collect the “first-flush” of a rain storm which carries the bulk of contaminants currently being dumped into the canal. However we do not believe that this proposed EPA/DEP agreement for the 8-million gallon sewage holding tank at the canal-side location is in the best interest of the local community, the general public, or the health of the environment. Therefore we ask that the proposed EPA/DEP agreement not be moved forwards as currently configured and encourage the EPA to take what measures are necessary to move forward with the construction of sewage holding tank placed under the existing public pool at Thomas green Park.

In light of the current Proposal we offer the following observations and requests.

ON THE ISSUE OF SIGNIFICANT DIFFERENCE WITH RESPECT TO COST

As stated in the Gowanus ROD, the EPA is under a “statutory requirement that Superfund remedies be cost-effective in that it is the least costly action alternative and will achieve the remediation goals”. A primary problem with the proposed agreement is the extreme excessive additional costs which neither the DEP nor the EPA have properly vetted with the public. The EPA must meet their statutory requirement that the significant change in the ROD with respect to cost, is both cost-effective and the least costly of it’s alternatives to achieve the remediation goal. Given that the EPA has alternative in this situation, we ask that the EPA provide the community with a cost comparison of alternatives, to be issues and formally reviewed prior entering into any formal agreement with the City.

To clarify concerns we would like to draw your attention to this statement which is taken from the Federal Regulations Title 40: Protection of Environment:

PART 300—NATIONAL OIL AND HAZARDOUS SUBSTANCES POLLUTION
CONTINGENCY PLAN Subpart E—Hazardous Substance Response

(found at <http://www.ecfr.gov/cgi-bin/text-idx?>

[SID=3137b63999ac2bbda2993df4760d8474&mc=true&node=se40.28.300_1435&rgn=div8](http://www.ecfr.gov/cgi-bin/text-idx?SID=3137b63999ac2bbda2993df4760d8474&mc=true&node=se40.28.300_1435&rgn=div8) note: underlines have been inserted for point of focus):

§300.435 Remedial design/remedial action, operation and maintenance.

(2) After the adoption of the ROD, if the remedial action or enforcement action taken, or the settlement or consent decree entered into, differs significantly from the remedy selected in the ROD with respect to scope, performance, or cost, the lead agency shall consult with the support agency, as appropriate, and shall either:

(i) Publish an explanation of significant differences when the differences in the remedial or enforcement action, settlement, or consent decree significantly change but do not fundamentally alter the remedy selected in the ROD with respect to scope, performance, or cost. To issue an explanation of significant differences, the lead agency shall:

(A) Make the explanation of significant differences and supporting information available to the public in the administrative record established under §300.815 and the information repository; and

(B) Publish a notice that briefly summarizes the explanation of significant differences, including the reasons for such differences, in a major local newspaper of general circulation; or

(ii) Propose an amendment to the ROD if the differences in the remedial or enforcement action, settlement, or consent decree fundamentally alter the basic features of the selected remedy with respect to scope, performance, or cost.

It is apparent that the proposed DEP/EPA agreement for the sewage holding tank at the canal-side location *differs significantly with respect to cost*, as given in the ROD. The ROD specified the cost for this 8-million gallon sewage tank at \$47 million.

Typically a PRP would vet such the proposal of such excessive additional costs through their own corporate business structures. Yet here the city of NY has indiscriminately proposed a plan to spend more than 10 times the cost given in the ROD without seeking any public approval of the plan they have brought to the EPA.

The community and all of the NYC water-rate-payers have not been properly informed about the differences in the overall cost for that tank construction for the canal-side location. Nor has an explanation been given for the significant additional expense. A few community members first become aware that the costs *differs significantly* with the ROD after stumbling upon a Twitter post by Councilman Brad Lander showing that the city has budgeted \$510 million for this Superfund work in Gowanus. This budget number was further verified in the NYCDEP May 10, 2016 Pipeline News Publication that states that over the next 4 years \$560 of \$746 million total proposed for DEP's city-wide budget for CSO projects will go to this work in the Gowanus Canal.

It appears that the cost of the 8-million gallon, canal-side sewage holding tank is being budgeted at more than 10 TIMES the cost projected in the ROD—a jump from \$47 Million to more than Half-a-Billion. This projected cost clearly *differs significantly* from that in the ROD and *fundamentally alters the basic features of the selected remedy with respect to cost*; and therefore we are requesting that prior to endorsing this agreement, the EPA either: (i) Publish an explanation of significant differences, or (ii) Propose an amendment to the ROD. This action on the part of the EPA is necessary given the excessive change in cost which will be incurred.

Both the DEP and the EPA have stated that the primary reason for favoring a canal-side location is to better manage “policy” concerns over the length of time of loss of the use of a public swimming pool due to construction schedules, despite the fact that the EPA is mandating that a temporary pool be provided to the community throughout the duration of any construction period. Furthermore, the

construction schedule is under the control of the city, and we understand that it is feasible to construct an 8-million gallon sewage-holding tank in the pool location on a much faster time line, especially given that the DEP is willing to put additional funds to this process. In addition the DEP raised concerns about parkland alienation to which local property owners offered to compensate with with new parkland by donating additional adjacent land to the Parks Department. There has been no official response form the City nor assessment given as to how the offer might significantly manage costs of the Superfund work given a retention tank under the swimming pool.

In terms of community impacts, the current proposal appears only to have considered the impacts on the use of the public park but has not weighed other impacts such as the loss of the commercial development proposed by Alloy that would bring thousands of additional jobs into the area, nor the loss of the existing jobs and economic stimulation received from the film studio located on one of the blocks the DEP plans to take position of. We must have a financial assessment that balances the additional costs of half-a-billion dollars with the additional impacts on the commercial and industrial community with those of the benefits that this plan offers to side step construction impacts within Thomas Green Park. Within the range of half-a-billion dollars of costs, there are would be many other possibilities to mediate impacts of a retention basin in Thomas Green Park which would also allow for existing businesses to remain and property owners to maintain their ownership rights.

We understand that the EPA must balance city policy issues with the Superfund work that must be done, but we do not believe, given the city's willingness to spend more than a half-a-billion dollars on the work, that a far less expensive, and less disruptive plan which better managed community impacts, could be pulled together at far less that the current half-a-billion dollar proposal using the alternate location under the swimming pool which is why we are asking the EPA not to go forward with the current agreement.

Additional costs have impact on City Wide CSO mitigation

Because these additional costs come out of a city wide budget for CSO mitigation intended for all the city's public waters, it is imperative that the proposed additional costs be present for review by all waterfront communities, and all water-rate payers in the city.

There are legitimate concerns that DEP funds set aside for CSO mitigation be most effectively used towards that purpose. Very much of the additional costs in the EPA/DEP agreement seem to be directed to secondary actions such as ULURP processes and land acquisition costs. And there are the concerns raised by the EPA engineers that the DEP proposed tank design is excessive and redundant in nature, thus driving up the design and construction costs.

The EPA has also stated that the longterm cleanup standard for the Gowanus Canal is limited by the water quality that exists in the East River and the NY Harbor. It is therefore vital to the Gowanus Cleanup that significant CSO mitigation funds be used to address water quality impacts within the Harbor and the East River. It is therefore vital to the Gowanus Cleanup that the additional \$460 million in costs the DEP has proposed for secondary expenses of the 8-million gallon sewage holding tank, be properly vetted within the context of the whole CSO mitigation problem as it relates to the longterm cleanup of the Gowanus Canal.

This agreement once signed would hold the EPA as responsible for enforcing the City's commitment to undertaking the additional costs that come as a result of the agreement. It is fundamental that the EPA follow through with the required Federal regulations to fully disclose

these additional costs to the entire effected public communities prior to finalizing the agreement that will impose significant additional costs above those projected in the ROD, excessive additional costs that may crippling the longterm Cleanup of the Canal as it is also impacted by the flow of water from the harbor and East River.

The included agreement not to sue the EPA

While the proposed EPA/DEP agreement includes a commitment from the City of New York not to sue the EPA over the inclusion of this CSO mitigation measures under the ROD, the current proposal fails to balance the additional costs of the canal-side projected, with the risks of costs of such legal actions incurred if such a suit would take place. It may well be less costly to all tax and water-rate payers to risk, and incur costs of legal action, then it is to incur that additional \$460 million in costs under the DEP proposal. Furthermore, the agreement does not limit the citizens from taking legal action against the EPA and the DEP from moving froward with a plan that has such excessive additional costs—costs which have not be vetted by the public to whom the burden of these expenses falls.



Councilman Brad Lander Twitter comment on Budget amount.

Also attached, copy of DEP Pipeline newsletter May 2016.

WE appreciate the opportunity to submit comments fro review.

With gratitude to the Gowanus EPA design team,

Marlene Donnelly
Friends & Residents of Greater Gowanus, Officer,

From: [Mugdan, Walter](#)
To: [Singerman, Joel](#); [Carr, Brian](#)
Subject: FW: Gowanus Canal Administrative Settlement Agreement
Date: Thursday, June 02, 2016 8:09:48 AM

From: David Congdon [mailto:davidcongdon@att.net]
Sent: Tuesday, May 31, 2016 4:58 PM
To: Mugdan, Walter <Mugdan.Walter@epa.gov>
Cc: David Congdon <davidcongdon@att.net>
Subject: Gowanus Canal Administrative Settlement Agreement

Regarding : Gowanus Canal Administrative Settlement Agreement And Order For Remedial Design, Removal Action and Cost Recovery
May 31, 2016

Dear Administrator Enck and Director Mugdan,

My wife and I have been residents of Carroll Gardens since 1973. We are once again witnessing the cynical delaying tactics that NYC is shamelessly employing to further cripple the effort to get a clean Gowanus Canal in a reasonable time frame and at a manageable cost.

We are decidedly against the Proposed Administrative Settlement Agreement between the EPA and NYC as it currently stands. The idea that NYC should be allowed to add up to five years and hundreds of millions of dollars to the effort and expense of completing this project is ridiculous. We understand that there are elements of this agreement that are beneficial to the completion of the overall project, but they come at a price that is far too dear. We agree with CORD in their statement that the NYC proposal is a “grandiose Gowanus land-use plan somewhat disguised as a crusade to save a swimming pool that is situated above highly contaminated earth,” and that it “is going to delay the cleanup by a number of years.” The eminent domain lawsuits alone could take additional years to resolve through the courts, assuming the appeals process is used by the property holders.

In addition, NYC is leaning to replace the existing Union Street liftbridge across the Gowanus Canal with a fixed bridge that will make it impossible to use barges to remove the sludge from the head of the canal to Union Street. Trucks will be forced to transport the toxic and noxious sludge through the NYCHA Gowanus Houses and Wyckoff Gardens neighborhoods, and by the Thomas Greene Park. In 2010, the argument was, in order to lessen the impact on the neighborhoods surrounding the canal, all of the sludge would be removed by barge. If a fixed bridge is selected, the NYC DOT will have rendered that plan null and void.

We request that the EPA direct NYC EPA to proceed with the plan to place the RH-034

retention tank under the Douglass & Degraw Pool in Thomas Greene Park. This approach would significantly reduce the delay in completing the Gowanus Canal clean-up project, and will keep this process out of the political struggle that will inevitably result from the area-wide ULURP review that Councilman Brad Lander and the tenacious NYC real estate interests are pushing for. We know this means that the residents in the neighborhood will have to use a temporary pool for several additional years, but we think the trade-offs in getting the project done as quickly as possible will greatly benefit the same neighborhoods.

Sincerely,

David Congdon and Nancy Golladay
292 Hoyt Street,
Brooklyn, NY 11231
davidcongdon@att.net

From: [Mugdan, Walter](#)
To: [Singerman, Joel](#); [Carr, Brian](#)
Subject: FW: Agreement with NYC and EPA regarding Gowanus Retention Tank
Date: Thursday, June 02, 2016 8:08:30 AM
Attachments: [CAG.docx](#)
[IMG_0257.JPG](#)
[IMG_0259.JPG](#)
[IMG_0263.JPG](#)
[IMG_0266.JPG](#)
[IMG_0272.JPG](#)
[IMG_0281.JPG](#)

From: George Fiala [mailto:gbrook8344@gmail.com]
Sent: Tuesday, May 31, 2016 2:31 PM
To: Mugdan, Walter <Mugdan.Walter@epa.gov>
Subject: Re: Agreement with NYC and EPA regarding Gowanus Retention Tank

I respectfully argue that an alternative location should be found for the staging area, no matter where the retention tank at the head of the gowanus ends up being situated.

I attach a copy of the story I have written for publication in the June 2016 edition of my newspaper - The Red Hook Star-Revue, as well as some photos of the owner giving a tour of 270 Nevins Street, as well as a photo of one of the available properties surrounding the retention tank area that could be used for a staging area without causing displacement of an existing viable business.

Best,
George Fiala

--

Red Hook Star-Revue
Select Mail
481 Van Brunt Street, 8A
Brooklyn, NY 11231
718 624-5568
917 652-9128
www.star-revue.com
www.selectmail.com

At the April meeting of the Gowanus Community Advisory Group (CAG), EPA Director Walter Mughan announced the results of a long and difficult negotiation with NY City regarding the placement of sewage retention tanks alongside the Gowanus Canal.

CAG member Marlene Donnelly and others said not so fast. A public comment period was asked for and gotten. This period, which was extended through the end of May, offered a chance for comments on the agreement to be heard by the EPA before they sign the agreement.

It seemed at first that objections might be raised because this agreement would delay the city's installation of retention tanks needed to limit Combined Sewer Overflows (CSO) into the canal. Right now, raw sewage is pumped into the Gowanus whenever a big rainstorm clogs up the sewers. The tanks would store much of the overflow until the sewers come back to normal and the wastes can be sent to the sewage treatment plant.

The City was hell bent on placing the tanks next to the Gowanus, which would entail their seizure of private property. The EPA thought a better idea was to place the tanks in city owned land, namely the Thomas Greene Park. The park is home to an outdoor swimming pool which unfortunately is sitting on top of a large pool of toxic chemicals left behind by the natural gas industry of the past. The EPA is ordering the removal of the toxins, which entail temporary removal of the pool. They felt that building the tank under the pool, in an already dug hole made sense for many reasons. One of those reasons is an EPA distaste of eminent domain – the seizure of private property.

The agreement gives the city a chance to do it their way, although built into the plan is a fallback in case of extended lawsuits regarding the seized properties. The upside for the EPA was the city's agreement to build the tank. It was feared that the city would attempt to litigate away their obligation to build the tank at all.

A new wrinkle was added in April. The EPA held a public meeting to announce the completion of negotiations. Questions and comments were heard, and towards the end of the meeting a tall gentleman named Ian Defibaugh took the podium to explain that the company he works for, a film studio called Eastern Effects, was in danger of losing their main production facility.

It turns out the proposed agreement would allow the city to seize the building they occupy. It is located in Gowanus, right next to where the city wants to build the tank. The plan is to tear down the building and use the land as a staging area while the tank is built. Afterwards, the land would be sold off by the city to the highest bidder.

The studio, an employer of more than 200 skilled local jobs, is home to the TV show "The Americans." They signed a twenty-year lease for the building in 2010, and spent \$5 million to turn it into a professional quality film studio. Were the city to exercise eminent domain, they would lose their investment, and the neighborhood would lose the jobs, as well as the ancillary benefits of film crews and actors enjoying meals in the neighborhood.

The public meeting was on a Monday night. The next night Mugdan repeated the presentation at the regular monthly CAG meeting. Mugdan was asked about Eastern Effects. He said that the placement of the staging area was the city's decision. He quickly went to the next question, but not before saying that other parcels were available for use as staging area.

Eastern Effects connected with Dan Wiley at the Monday meeting. Wiley is the community liaison for Congresswoman Nydia Velazquez, a prime mover in having the EPA take on the task of cleaning the Gowanus. Wiley toured the studio on May 16, and urged others to see for themselves on two separate tours that were given to the public the following week. The purpose of the tours was to inform the community about the studio and encouraging comments to the EPA on the advisability of their agreement with the city that would sanction the use of eminent domain for the site.

The tours were led by company owner Scott Levy. Eastern Effects is an independent, privately held company founded by Levy in 1999. Begun as a lighting and grip company, it has grown steadily and became a film studio in 2010 with the leasing of the building at 270 Nevins – the one threatened with demolition.

Levy led a group of about twenty, composed of local residents, some press, and members of the CAG, through the warehouse. "It was my dream to do film and TV," he said. He showed off the work that had been done on the building, which was an empty shell when he took it over in 2010. A large electrical system he installed miraculously escaped damage from Sandy, despite over a foot of water in the building.

As Levy pointed out the elaborate soundproofing and lighting grids that had to be in place before the building could be used as a film studio, he practically burst into tears at the thought of losing it all.

The process of eminent domain reimburses property owners – the property has to be bought at an agreed upon market rate – there is no protection for renters. In fact, Levy told the group that there is an eminent domain clause in his lease which allows for termination with no reimbursement. This means that the studio would be a total loss – one in which \$5 million was investment, and \$2 million still owed to banks.

Of course, the other loss would be the 200 + skilled neighborhood jobs. FOX FX has leased the studios for its filming of the spy series "The Americans." The series is scheduled to run through 2018.

Levy explained that he built his studio as a 'Level 2' studio, which enables production companies to receive NY State tax benefits. He said that there is a shortage of these studios in the city, as more and more film production is done here.

Taking the tour group outside – Levy pointed out three nearby locations that might be used for a staging area instead. None of them were presently occupied.

Levy was joined by representatives from SBIDC, CB6, the Gowanus Community Development Corporation, and the AFL-CIO. All pledged support for Eastern Effects, however the tale will be told as

the results of the public comments are read by the EPA. The results of the comments could either quash the deal or force it to be amended.



ROOM AVAILABILITY
AND TERMINAL
SCHEDULE











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No Left Turn

Bike Lane

ONE WAY

ONE WAY

From: [Mugdan, Walter](mailto:Mugdan.Walter)
To: [Singerman, Joel](mailto:Singerman.Joel); [Carr, Brian](mailto:Carr.Brian)
Subject: FW: Comment from Deb Scotto
Date: Thursday, June 02, 2016 8:08:38 AM

From: Mark Shames [mailto:mcsshames@hotmail.com]
Sent: Tuesday, May 31, 2016 3:04 PM
To: Mugdan, Walter <Mugdan.Walter@epa.gov>
Cc: Debra Scotto <debscotto@hotmail.com>
Subject: FW: Comment from Deb Scotto

Dear Walter:

I am limiting my comment to what ought to occur if the EPA enters into an agreement with the City of New York.

1. The timeframe for installation of the head end tank is unreasonably long. While eminent domain litigation seems inevitable given the conflict between the owner and the lessee at the "Eastern Effects" site, bypassing the ULURP process could still accelerate land acquisition and it should be bypassed using federal authority.
2. Until now it has been the Gowanus CAG's position, consistent with that of the EPA mandate that "areas contaminated with high concentrations of toxic compounds" ought to be treated. That is the case with the Douglas/Degraw Pool and presumably that is why the EPA has mandated source contamination removal at that site. The CAG hasn't taken a position, but my view is that if the agreement with the City is finalized the Eastern Effects site ought to be treated in the same manner as the DD pool site.
3. With regard to Eastern Effects, Inc. it is truly tragic that jobs may be in jeopardy and I regret that a large corporate investment is at risk. I will advocate for relocation so that jobs are not lost, but their lack of foresight should not forestall the removal of toxic materials.

Sincerely,
Deb Scotto

ps. Deb's email capacity has been reached so she asked me to send the above

From: [Mugdan, Walter](#)
To: [Singerman, Joel](#); [Carr, Brian](#)
Subject: FW: Comments on CSO Tank Siting - Gowanus Canal
Date: Thursday, June 02, 2016 8:10:23 AM
Attachments: [FAC Comments EPA 5.31.pdf](#)

From: Michelle de la Uz [mailto:MdelaUz@fifthave.org]
Sent: Tuesday, May 31, 2016 6:09 PM
To: Mugdan, Walter <Mugdan.Walter@epa.gov>
Cc: Sabine Aronowsky <SAronowsky@fifthave.org>
Subject: Comments on CSO Tank Siting - Gowanus Canal

Mr. Mugdan – Attached please find FAC’s comments on the agreement between NYC and the EPA.

We appreciate the opportunity to comment.

Thank you - Michelle

Michelle de la Uz
Executive Director

Fifth Avenue Committee, Inc.
621 DeGraw Street
Brooklyn, NY 11217

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(646) 285-2978 cell

www.FifthAvenueCommittee.org

Our Community. Our Future.



Fifth Avenue Committee
Our Community. Our Future.

May 31, 2016

Walter Mugdan, U.S. EPA Superfund Director
U.S. Environmental Protection Agency
290 Broadway, 19th floor
New York, NY 10007-1866
mugdan.walter@epa.gov

Re: Comments on Administrative Settlement Agreement with the City of New York regarding the RH-034 and OH-007 sewage retention tanks as part of the Gowanus Canal Superfund Cleanup

Dear Mr. Mugdan:

Thank you for the opportunity to submit comments on the Administrative Settlement Agreement with the City of New York regarding the RH-034 and OH-007 sewage retention tanks as part of the Gowanus Canal Superfund Cleanup.

As you know, Fifth Avenue Committee (FAC) is a 38 year old nonprofit comprehensive community development corporation in South Brooklyn that advances economic and social justice by building vibrant, diverse communities where residents have genuine opportunities to achieve their goals as well as the power to shape the community's future. To achieve our mission, FAC develops and manages affordable housing and community facilities, creates access to economic opportunities and ensures access to economic stability, organizes residents and workers, offers student-centered adult education and combats displacement caused by gentrification. FAC serves a diverse constituency to provide comprehensive community development programs which directly serve over 5,500 low and moderate income residents annually and regularly engages hundreds more in Gowanus alone in community education and organizing efforts.

We champion and uphold the interconnected goals for the preservation and creation of affordable housing, of industrial and manufacturing business sectors, and embrace resiliency through improved infrastructure and environmental stewardship, all while nurturing the physical, environmental, cultural and economic diversity that makes our Gowanus community unique and thriving.

FAC's involvement with the Gowanus Canal and surrounding area dates back more than 20 years. FAC's main offices are a mere block away from the former Fulton Manufactured Gas Plant (MGP) site near the northern end of the Gowanus Canal, where in addition to the DEC former Fulton MGP site remediation, the EPA Gowanus Canal Superfund cleanup work is scheduled to begin, along with the construction of the 8M gallon RH-034 NYC DEP sewage holding tank. In addition, over 150 of the more than 500 units of affordable housing that we currently manage are in and around Gowanus. Several of these properties were subject to the flooding brought about by Superstorm Sandy and, like other Gowanus and Lower Park Slope residences, continue to experience sewage backups during intense rainfall events.

We are active participants in the EPA Gowanus Canal Superfund Community Advisory Group (CAG) and have been active in both the CAG Outreach and Engagement and Land Use Committees. We've engaged with our own constituencies to ensure that local residents who will be directly impacted by these cleanups have equal opportunity and access to information about the Superfund and NYS DEC public processes happening locally and the opportunity to participate in the planning discussions and processes involving the future of our neighborhood.

Our affordable housing pipeline also includes Gowanus Green, an additional 700+ units of affordable housing and public open space immediately adjacent to the Gowanus Canal on the Public Place (former Citizens Gas) site. Additionally, FAC's *Stronger Together* effort with partners SBIDC, RHI and BWI, is focused on alleviating poverty in public housing in Red Hook and Gowanus by providing access to free job training and placement, adult education and literacy as well as wrap around individual and community supports such as benefits, financial, legal and credit counseling. *Turning the Tide* is another program led by FAC which will also deepen these same public housing communities' involvement and leadership in local climate-resilience efforts. Finally, through direct tenant advocacy, FAC prevents the eviction of nearly 200 local households a year. We also organize tenants at both the building and neighborhood level against residential displacement and for citywide policies that protect tenants.

Informed by these multiple interests and stakeholders, FAC is deeply committed to a comprehensive and equitable path toward responsible and accountable remediation, development and growth in Gowanus that is sustainable, inclusive and just. With all this in mind we submit the following comments to EPA on the Proposed Administrative Settlement Agreement with the City of New York regarding the RH-034 and OH-007 sewage retention tanks as part of the Gowanus Canal Superfund Cleanup.

1) Support the CSO tank site locations; reconcile cost estimates and timelines, and ensure meaningful inter-agency and equitable community involvement in all forthcoming plans.

FAC supports the current Administrative Settlement Agreement with the City of New York to locate the RH-034 sewage and storm water retention tank at the head of the canal location that avoids siting the RH-034 CSO tank and supporting facility infrastructure and operations, such as a head house, within the Park. We also support the OH-007 "salt-lot" tank location. We find it reassuring that the City is waiving any right to challenge both tank constructions and the CSO measures called for under Superfund and think this represents a significant shift by the City of New York and for NYC DEP, in particular, to work towards a comprehensive clean-up.

Despite this our concerns continue around lack of public communication and coordination across City, State and Federal environmental regulatory agencies for the future of the former MGP areas and CSO tank sites. Just recently it was announced that the Department of Sanitation would move forward with the construction of a compost facility at the OH-007 tank location, this continues to highlight the ongoing lack of agency coordination and communication between and within the Federal, State and City agencies and responsible parties. We believe allowing for multiple agencies to attend and provide regular updates within the CAG forum could help all parties coordinate and communicate and alleviate possible conflicting, albeit well intentioned, incompatible projects from delaying or interfering with cleanup remedies.

We also believe that the community should have access to independent third party review (and technical assistance) to evaluate the vastly different cost estimates for the sewage tank construction and varying timelines in which various facilities (public and private) could potentially be taken off-line due to nearby construction impacts and/or for the anticipated upland source removals.

We understand, thru this agreement, that the current estimated number of years of planned disruption for remediation efforts within the Thomas Greene Park would be cut in half, from approximately 10 to 12 years to between 4 to 6, in an area that serves low income populations and public housing residents that presently suffer disproportionately from a lack of access to open space. FAC believes any public decision which contributes to negative impacts on the facilities and programs at Thomas Green Park could constitute environmental discrimination. With this in mind, FAC asks that future orders with responsible parties include enforceable measures to provide for temporary and permanent relocation of park services at an immediately nearby location as needed. The costs of replacing facilities and services during a temporary disruption and permanently following the park clean-up should be fully disclosed and provided for.

While we applaud EPA Region 2's commitment to uphold the U.S. EPA's environmental justice commitments through this proposed agreement with the City of NY, we also recognize that low and moderate income residents, the majority of whom are Latino and African-American, who have been living with the unhealthy effects of brownfields, neglected infrastructure and a toxic Canal for generations, are under-represented and less engaged in the Gowanus Canal Superfund local environmental remediation processes. In particular, the nearly 4,500 households who live in Gowanus area public housing – residents of the largest grouping of housing in our area – residing very close to the former Fulton MGP site and the Canal - must be more robustly engaged and considered in order to directly and meaningfully participate in decisions which will impact them and their community.

FAC requests that the EPA assess the need for other government programs to take action or provide information to build upon community cohesion, engage more racially and socio-economically diverse stakeholders to ensure equitable and meaningful public involvement, which can also expose where more adverse environmental or other burdens impacting the community continue to exist. At a very minimum, we recommend that the EPA designate a community liaison who can present meetings in Spanish and request that Spanish language materials be readily accessible.

2) More comprehensive public communication and coordination across City, State and Federal environmental agencies is necessary to leverage this unprecedented investment for the future of Gowanus.

In all the years that we have waited for the proposed remediation action plans and agreements to be released across multiple agencies for the multiple and intersecting clean ups happening in Gowanus, there have been limited coordinated actions publicly demonstrating attempts amongst NYC DEP, NYS DEC and US EPA to effectively coordinate public communication and remediation efforts across agencies. Our community has heavily invested our time and energy on the EPA Gowanus Canal Community Advisory Group (CAG) and in Bridging Gowanus to lay out a framework and resolutions that support current and anticipated future land use and the necessary environmental remediation's and infrastructure

investments needed for Gowanus to overcome the consequences of decades of contamination and failed public policy and neglect. Now, as these hard fought, and long-awaited for, environmental clean-ups progress, and private investment is introducing new and sometimes speculative uses, we must ensure that the community's comprehensive needs are met and that that the residents and businesses who have made this community what it is today will enjoy the benefits of a clean and vibrant Gowanus.

There uniquely exists at this moment not only an ability to coordinate comprehensive clean-ups amongst DEP, DEC and EPA – but also with the many City and State planning initiatives happening with the Mayor's Office of Recovery and Resiliency, NY Rise, PlaNYC, DCP, Parks, NYCHA and the NYC affordable housing plan. In this moment of unprecedented opportunity for large scale collaboration to realize the most comprehensive clean-up in Gowanus that exists right now, there continues to be limited inter-agency coordination and community engagement. To date, DEC has not taken meaningful steps to engage with the community on the future vision for Gowanus that DEC could help achieve through the upland former MGP site cleanups in Gowanus. EPA should use its CERLA authority to compel DEC to participate in local meetings to communicate their role for the future of Gowanus and ensure their anticipated Record of Decision (ROD) adheres to prescribed community acceptance principles.

3) Limit impacts to local businesses & residents & ensure equitable approaches as part of the remedy selections

There are multiple properties and land in the identified contaminated parcels of the former Fulton MGP listed for sale currently. Additionally, there are a number of vacant and seemingly underutilized sites which appear to have been overlooked as possible staging areas for the northern CSO tank installation. FAC hopes that the City, State and Federal agencies can collaborate more effectively as agencies or with existing property owners to acquire available parcels, as necessary, to advance the siting of the CSO tank and construction staging associated with it. It is important that creative solutions to clean up the land are utilized so that disruption to open space, residents and businesses is limited to the greatest extent possible.

While we support the current proposed canal side location for the RH-034 tank, we believe that using eminent domain for the DEP retention tank siting should only be considered *as the last resort* and that the timeline for land acquisition should be incentivized and accelerated for DEP to avoid involuntarily acquisition. We support the current RH-034 tank construction location because we understand the current land owners are willing to voluntarily sell or lease their land either to Alloy Development or DEP (with the understanding that their development rights would be maintained and that the space above the CSO tank location would become a public park).

In regard to the proposed staging area at Eastern Effects, we ask that this business be spared as the staging area could be on another part of the former MGP site operations, such as the current parcel of land listed for sale on Degraw and Nevins where the former Adams Book company used to be. This would be our strongest preference for the alternative staging site since the site is currently for sale, unoccupied and in the former MGP area that also needs to be cleaned up. While we want to seize upon the "opportunity" to maximize this clean-up, we also want to make sure the agreement between the City and EPA minimizes impacts to the community. There are other staging options should that site prove

challenging, including temporarily closing down the dead end street between Nevins and the Canal, temporarily taking a portion of Butler Street (as DEP did when it made repairs to its facility) or consider using the vacant Con Ed site close by.

Eastern Effects is a good community partner to FAC's nonprofit workforce development affiliate, Brooklyn Workforce Innovations (BWI). Eastern Effects hires graduates from BWI's award winning Made in NY Television and Film Production Assistant training program who have histories of unemployment and are underrepresented in this growing sector. Unfortunately, Eastern Effects only leases the site, and we are not aware of the owner's position. If the owner is voluntarily choosing to sell at this time, then we believe Eastern Effects should be made whole for any economic losses resulting in the early termination of their lease and business expenses incurred for renovating the studio space.

4) Connect local residents to job opportunities and engage local community based organizations for training and placement

The environmental clean-up of the area will also continue to unlock tremendous land value and lead to continuing and unprecedented displacement pressures. An estimated \$1 billion is being invested to clean-up the Gowanus Canal and upland MGP sites. It is imperative that some direct benefits to local low and moderate income residents be realized in association with these significant economic investments.

FAC would like to see all future agreements outline Section 3 and/or local hiring mandates and plan for local job training and placement to ensure that local residents' economic sustainability improves as the neighborhood's environmental sustainability improves.

Thank you for the opportunity to submit these comments. We appreciate the US EPA's recognition of the need to balance a number of issues as you thoughtfully move ahead with the much needed Gowanus Canal clean-up.

Sincerely,



Michelle de la Uz
Executive Director

621 DeGraw Street, Brooklyn, NY 11217
(t) 718.237.2017
(f) 718.237.5366
www.FifthAvenueCommittee.org

From: [Mugdan, Walter](#)
To: [Singerman, Joel](#); [Carr, Brian](#)
Subject: FW: Comments to EPA Region 2: Gowanus Canal Superfund RH-034 Sewage Tank Agreement with NYC
Date: Thursday, June 02, 2016 8:08:28 AM
Attachments: [FOTGP COMMENTS EPA 5.31.16.pdf](#)
[signatures_1464705352\(5\).pdf](#)
[comments_1464705382\(4\).pdf](#)
[FOTGP_online_petition_signature_file.pdf](#)
[FOTGP_paper_petition_signatures.pdf](#)
[signatures_1464708335\(1\).pdf](#)
[comments_1464708372\(2\).pdf](#)

From: Sabine Aronowsky [mailto:sabine13@gmail.com]
Sent: Tuesday, May 31, 2016 11:47 AM
To: Mugdan, Walter <Mugdan.Walter@epa.gov>
Cc: Sue Wolfe <susannehwolfe@gmail.com>; Wolfe, Sue <Sue.wolfe@corcoran.com>; Sabine Aronowsky <sabine13@gmail.com>; Rachel Spector <rspector@nylpi.org>
Subject: Comments to EPA Region 2: Gowanus Canal Superfund RH-034 Sewage Tank Agreement with NYC

Dear Mr. Mugdan,

Enclosed please find 7 documents that comprise FOTGP comment submission to EPA Region 2 regarding the current proposed Gowanus Canal Superfund RH-034 Sewage Tank Agreement with NYC.

- 1) FOTGP Comment Letter
- 2) Signature file from new online petition
- 3) Comment file from new online petition
- 4) Signature file from new online petition that includes zip codes
- 5) Scanned file of new paper petition delivered to EPA this AM
- 6) Signature file from previous online petition
- 7) Comment file from previous online petition

We would greatly appreciate it if you could please confirm receipt.

Thank you,
Sabine Aronowsky
917-657-2922



A NOT-FOR-PROFIT CORPORATION
SUE WOLFE, PRESIDENT
448 ATLANTIC AVENUE
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W: 718 923 8037
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Walter Mugdan, U.S. EPA Superfund Director
U.S. Environmental Protection Agency
290 Broadway, 19th floor
New York, NY 10007-1866
mugdan.walter@epa.gov

May 31, 2016

Dear Mr. Mugdan,

Friends of Thomas Greene Park (FOTGP) would like to thank the EPA Region 2 Administrator, the Gowanus Canal Superfund team, and you and your staff at the EPA, for everyone's hard work and dedication over the past six years in support of the Superfund cleanup of the Gowanus Canal. We greatly appreciate the EPA's efforts to communicate with all the varied community based organizations, groups, and concerned residents and businesses in South Brooklyn and we thank EPA for considering and recognizing, within the ROD and in this agreement with the City of New York, the important community resource that Thomas Greene Park and the Douglass and Degraw (Double D) public swimming pool represent, while addressing the cleanup of the highly polluted waterway and the former Fulton MGP site.

The Friends of Thomas Greene Park, Inc. (FOTGP) is a 501(c)(3) organization that works with community and business partners to enhance the quality of life in the Thomas Greene Park area through programming and special activities for all ages, and works with the NYC Parks Department to assure stewardship over and advocate for much needed green and public space in Gowanus, Brooklyn. FOTGP is an organizational member of the EPA Gowanus Canal Superfund Community Advisory Group (CAG) and we have limited the scope of our comments to this proposed agreement with the City of New York, which sets out the schedule addressing the RH-034 sewage tank location, to minimizing the impacts and maximizing the opportunities for the Thomas Greene Park community of users that rely on this public park space and the services provided.

FOTGP is pleased to support this agreement, which considers a just arrangement that avoids placement of the DEP 8M gallon sewage and storm water retention tank facility within the current Thomas Greene Park boundaries. We understand, thru this agreement, that the current estimated number of years of planned disruption for remediation efforts within the Park would be cut in half, from approximately 10 to 12 years to between 4 to 6, and that this agreement also avoids taking an estimated 1/3 of the Park which would constitute permanent alienation of park space for the sewage and storm water retention tank facility head house. FOTGP further supports this agreement because it also presents possible opportunities to increase our parkland in an already highly deficient area that serves low income populations and public housing residents that presently suffer disproportionately from the lack of access to open space. We also applaud EPA Region 2's commitment to uphold the U.S. EPA's environmental justice commitments through this proposed agreement with the City of NY.



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FOTGP is submitting, as part of this comment letter, over 300 new petition signatures from our new online (<https://www.change.org/p/walter-mugdan-u-s-epa-region-2-superfund-director-thank-epa-for-making-the-polluters-pay-and-not-our-community>) and paper petition (hand delivered to the EPA this AM) gathered in the last few weeks to support this agreement. And we are also submitting via this letter our previous (now closed) online petition from over 3 years ago (<https://www.change.org/p/epa-make-the-polluters-pay-not-our-community-save-the-double-d-pool>) with 1,195 signatures requesting that the sewage tank not be sited in Thomas Greene Park. These comments together, from our FOTGP group and the growing community of Park users and advocates, all ask for continued consideration for our communities needs for a healthy and safe public recreational environment that minimizes remediation impacts and provides for full interim and permanent park facilities and services that will be needed alongside the Superfund cleanup of the Gowanus Canal.

Despite the proposed sewage tank location across the street from the Park, we recognize that the former Fulton MGP site remediation by DEC could possibly temporarily disturb as much as two-thirds of the Park for excavation operations. Therefore we continue to request that EPA use its authority to compel the responsible parties to provide for a seamless transition of park amenities and services that include capital expense, maintenance and operations budgets for all the permanent park facilities (pool, playground, skatepark, basketball courts, handball courts) and services (Summer Breakfast and Lunch, Learn to Swim, cooling centers, etc.) that may be disrupted during clean up operations at a nearby location. FOTGP would also like to see the timetables, expense budgets and requirements for interim park facilities and services that will be needed. We request that enforceable measures for permanent replacement facilities costs, timetables and construction be in place between the EPA, PRP's and the Parks Department before any planned remediation work begins and temporary facilities secured and provided for to avoid any disruption of services.

We ask the EPA to continue to hold the City of New York, National Grid, and all other responsible polluters accountable to ensure a timely cleanup of the Canal and Park and to guarantee continuity of the Park's amenities and services. We urge EPA to include clear requirements for a temporary park and park reconstruction, as well as community participation in those processes, in future orders and agreements with National Grid and all other responsible polluters.

Thank you for all your time and attention to these matters.

Sincerely,

Sue Wolfe,
President, Friends of Thomas Greene Park

Sabine Aronowsky,
Friends of Thomas Greene Park Board
Member and Organizational
Representative, Friends of Thomas Greene
Park, EPA Region 2 Gowanus Canal
Superfund Community Advisory Group

Friends of Thomas Greene Park, Gowanus, Brooklyn

Recipient: Walter Mugdan, Gowanus Canal Superfund Site, Brooklyn, NY

Letter: Greetings,

Thank you for making the polluters pay and not our community!

Friends of Thomas Greene Park (FOTGP) would like to thank the EPA for its hard work and dedication in reaching an arrangement with the City of New York that avoids siting the RH-034 sewage and storm water retention tank facility at the Douglass and Degraw (Double D) community pool location within Thomas Greene Park.

FOTGP and the undersigned support this agreement, which should reduce the length of planned disruption for remediation efforts within the Park, avoid any permanent alienation of park space and present an opportunity to increase our parkland.

We ask the EPA to continue to hold the City of New York, National Grid, and all other responsible polluters accountable to ensure a timely cleanup of the Canal and Park and to guarantee continuity of the Park's amenities and services. We urge EPA to include clear requirements for a temporary park and park reconstruction, as well as community participation in those processes, in future orders and agreements with National Grid and all other responsible polluters.

Signatures

Name	Location	Date
Sabine Aronowsky	Brooklyn, NY, United States	2016-05-05
Corinne Goodman	Brooklyn, NY, United States	2016-05-09
Tracey Pinkard	Brooklyn, NY, United States	2016-05-09
Phillip Hope	Brooklyn, NY, United States	2016-05-09
Katrina Motch	Brooklyn, NY, United States	2016-05-09
Angie Phillips	Brooklyn, NY, United States	2016-05-09
Stu Anderson	Brooklyn, NY, United States	2016-05-09
mitzy andino	Brooklyn, NY, United States	2016-05-10
Maria Marcano	Brooklyn, NY, United States	2016-05-10
Jonathan Chang	Brooklyn, NY, United States	2016-05-10
Steve de Seve	Brooklyn, NY, United States	2016-05-10
Sarah Garraoui	Brooklyn, NY, United States	2016-05-10
Lenin Cancel	Brooklyn, NY, United States	2016-05-10
Lance Shelton	Brooklyn, NY, United States	2016-05-10
Jonathan Vandenburg	BROOKLYN, NY, United States	2016-05-10
Christine Schwartz Hartley	Brooklyn, NY, United States	2016-05-10
Elizabeth Lahart	Brooklyn, NY, United States	2016-05-10
Danielle Delaloye	Brooklyn, NY, United States	2016-05-10
SARAH LAVERY	BROOKLYN, NY, United States	2016-05-10
Ing Leevsten	Brooklyn, NY, United States	2016-05-10
Christian Fox	Brooklyn, NY, United States	2016-05-10
alexandra dadourian	brooklyn, NY, United States	2016-05-10
Kate Rubin	Brooklyn, NY, United States	2016-05-10
debra smock	Brooklyn, NY, United States	2016-05-11
Hollister White	Brooklyn, NY, United States	2016-05-11
Cassandra Kinyon	Brooklyn, NY, United States	2016-05-11
Brian Giambalvo	Brooklyn, NY, United States	2016-05-11
Douglas Gordon	Brooklyn, NY, United States	2016-05-11
Steve Miller	Brooklyn, NY, United States	2016-05-11
Grace Freedman	Brooklyn, NY, United States	2016-05-11

Name	Location	Date
Theo Kogan	Brooklyn, NY, United States	2016-05-11
Brenna Griffin	New York, NY, United States	2016-05-11
Barbara Buenz	Brooklyn, NY, United States	2016-05-11
zoe kogan	Brooklyn, NY, United States	2016-05-11
Birgitta Rubin	Brooklyn, NY, United States	2016-05-11
christine napolitan	Brooklyn, NY, United States	2016-05-12
Valerie Whispersb Bell	Brooklyn, NY, United States	2016-05-12
Lizette Arthur	Brooklyn, NY, United States	2016-05-12
tiffany williams	New York, NY, United States	2016-05-12
Charlene Nimmons	Brooklyn, NY, United States	2016-05-12
analuisa valentin	new york, NY, United States	2016-05-12
Leona Dickerson	Brooklyn, NY, United States	2016-05-13
sylvia vega	Brooklyn, NY, United States	2016-05-13
sara greenfield	Brooklyn, NY, United States	2016-05-16
Mecca Culbert	New York, NY, United States	2016-05-17
James Edward Heck	Richmond, VA, United States	2016-05-17
sarah wikency	East Jerusalem, Palestinian Territory, Occupied	2016-05-17
Douglas Barnes	Brooklyn, NY, United States	2016-05-17
Sophie Bell	Brooklyn, NY, United States	2016-05-17
Mary McDaniel	New York, NY, United States	2016-05-17
Devlin Miles	Brooklyn, NY, United States	2016-05-17
Kreg Holt	Brooklyn, NY, United States	2016-05-17
Dan Hirschi	Brooklyn, NY, United States	2016-05-17
Matt Cohen	Brooklyn, NY, United States	2016-05-17
Liz Opoka	Brooklyn, NY, United States	2016-05-18
Catherine Hogg	New York, NY, United States	2016-05-18
Lissa Wolfe	Brooklyn, NY, United States	2016-05-18
Kathryn Schneider	Brooklyn, NY, United States	2016-05-18
Natalie Wheeler	Brooklyn, NY, United States	2016-05-18
Shawn Lewis	Brooklyn, NY, United States	2016-05-18
Danielle Safonte	Brooklyn, NY, United States	2016-05-19

Name	Location	Date
Janice Cardona-Smock	Brooklyn, NY, United States	2016-05-19
D Reznik	New York, NY, United States	2016-05-19
Kaye McKenzie	Brooklyn, NY, United States	2016-05-19
Erin Cooney	Brooklyn, NY, United States	2016-05-19
Paul Zinman	Brooklyn, NY, United States	2016-05-19
James Vogel	Brooklyn, NY, United States	2016-05-19
Tenya Steele	Valley Stream, NY, United States	2016-05-19
Liz Brownback	Brooklyn, NY, United States	2016-05-21
tim wilkins	Brooklyn, NY, United States	2016-05-22
Beth Bingham	Brooklyn, NY, United States	2016-05-22
Lindsey Saldivar	Brooklyn, NY, United States	2016-05-25
Justin Israelson	Brooklyn, NY, United States	2016-05-25
James Case	New York, NY, United States	2016-05-25
Ioana Kutuzova	Brooklyn, NY, United States	2016-05-25
Steven Wojcik	Brooklyn, NY, United States	2016-05-25
Patricia Conway	Brooklyn, NY, United States	2016-05-25
Craig Toohey	Seattle, WA, United States	2016-05-25
Charles Sheehan	New York, NY, United States	2016-05-26
Isabel Kraut	Brooklyn, NY, United States	2016-05-26
Janet Gallagher	Woodside, NY, United States	2016-05-26
Tim Chaffee	Brooklyn, NY, United States	2016-05-27
Anna Botardo	Brooklyn, NY, United States	2016-05-28
Peter Reich	Brooklyn, NY, United States	2016-05-28

Friends of Thomas Greene Park, Gowanus, Brooklyn

Recipient: Walter Mugdan, Gowanus Canal Superfund Site, Brooklyn, NY

Letter: Greetings,

Thank you for making the polluters pay and not our community!

Friends of Thomas Greene Park (FOTGP) would like to thank the EPA for its hard work and dedication in reaching an arrangement with the City of New York that avoids siting the RH-034 sewage and storm water retention tank facility at the Douglass and Degraw (Double D) community pool location within Thomas Greene Park.

FOTGP and the undersigned support this agreement, which should reduce the length of planned disruption for remediation efforts within the Park, avoid any permanent alienation of park space and present an opportunity to increase our parkland.

We ask the EPA to continue to hold the City of New York, National Grid, and all other responsible polluters accountable to ensure a timely cleanup of the Canal and Park and to guarantee continuity of the Park's amenities and services. We urge EPA to include clear requirements for a temporary park and park reconstruction, as well as community participation in those processes, in future orders and agreements with National Grid and all other responsible polluters.

Comments

Name	Location	Date	Comment
Corinne Goodman	Brooklyn, NY	2016-05-09	Because The Thomas Greene Playground and the Douglass and Degraw pool are crucial resources for our diverse community.
Angie Phillips	Brooklyn, NY	2016-05-09	Why is this Plant being put in our neighborhood. Find somewhere else!
Sarah Garraoui	Brooklyn, NY	2016-05-10	Thank you for not losing a decade of swimming for our local kids!
Lenin Cancel	Bronx, NY	2016-05-10	I am signing cause I can !!!
Christine Schwartz Hartley	Brooklyn, NY	2016-05-10	The neighborhood really needs this pool. For tons of kids and adults in the area, this is the only place where they can find relief from the summer heat and really relax.
Grace Freedman	Brooklyn, NY	2016-05-11	Gowanus kids and families deserve a park they can use and the pool they can enjoy in the summer. Local kids have very few outlets for physical exercise and positive activities. This park is critically important! We cannot forget the people who live here while fixing infrastructure. Thank you for listening and protecting community needs.
christine napolitan	Brooklyn, NY	2016-05-12	The people of Brooklyn need this pool. We shouldn't have to pay so big money can build more "waterfront" property on a superfund project. We built this community. Let our kids swim.
Valerie Whispersb Bell	Brooklyn, NY	2016-05-12	I'm signing this petition because the park and pool has been apart of my life growing up as well as my children and now my grand children this pool has a lift for our handicap residents let our children young and old and even our seniors have somewhere to go without the worry of more harmful chemicals
analuisa valentin	new york, NY	2016-05-12	This park and pool is part of a legacy in the neighborhood. It kept many of the kids occupied during hot summer nights. It is a community park. Either our parents would bring us, or it was a walk away from home. This is where neighborhood children, have played and learned how to socialize with each other. I may not have moved this is still our park.
James Edward Heck	Richmond, VA	2016-05-17	This park contributes to my family members' quality of life!
Douglas Barnes	Brooklyn, NY	2016-05-17	I'm glad there's a proposed agreement that doesn't solve this problem at the expense of children and families in the neighborhood.
Sophie Bell	Brooklyn, NY	2016-05-17	Thank you EPA! Storing sewage for new "luxury condos" in a public park that serves long-term and poor Brooklyn residents is a very bad idea.
Devlin Miles	Brooklyn, NY	2016-05-17	I believe in the neighborhood and the health of the community.
Matthew Cohen	Brooklyn, NY	2016-05-17	My son loves the park
Liz Opoka	Brooklyn, NY	2016-05-18	I'm signing this in support of minority and underprivileged communities who are already marginalized enough. Thomas Greene Park and its pools offer a much needed recreation space and play area for children and adults alike. Please do not use this park - where children gather and play - as your toxic waste dump. Reminiscent of Flint, MI's water troubles - please don't allow toxic wastes near our playgrounds and much needed recreational space. Thank you.
Lissa Wolfe	New York, NY	2016-05-18	A park that is well used by an underserved community shouldn't be intentionally defiled.
Natalie Wheeler	Brooklyn, NY	2016-05-18	Please keep the waste away from recreational areas that our children need to use! The irony of putting something potentially harmful in an area which is designed to promote health...
steven abel	brooklyn, NY	2016-05-18	The entire community-area needs the Double_D Pool

Name	Location	Date	Comment
Janice Cardona-Smock	Brooklyn, NY	2016-05-19	Its important our kids have a safe and clean pool and park close to our home.
Paul Zinman	Brooklyn, NY	2016-05-19	We are frequent users of the pool, and playground. The entire community needs this valuable resource!
James Vogel	BROOKLYN, NY	2016-05-19	...I really like any petition that uses phrases like "...permanent alienation of park space..." This is s major step by the EPA that avoids years of delay from potential litigation by NYC. The EPA and the City did a major service to the community by acting like grown-ups!
tim wilkins	Brooklyn, NY	2016-05-22	DD is an important place to teach young people aquatics and water safety.. reducing drowning deaths and starting kids on a lifetime of fitness... we NEED THIS POOL!
Justin Israelson	Brooklyn, NY	2016-05-25	We need to keep the pool!
Patricia Conway	Brooklyn, NY	2016-05-25	This park has been upgraded as a result of community support and we need to let folks know that they didn't just waste their time!
Charles Sheehan	New York, NY	2016-05-26	Park v. 8M gallon sewage retention tanks ... give me a second park.
Tim Chaffee	Brooklyn, NY	2016-05-27	I like clean parks in Gowanus
Peter Reich	Brooklyn, NY	2016-05-28	The idea of an 8 million gallon CSO tank under a playground, basketball and skateboard park, 2 pools, and the handball courts is extremely distasteful. Loosing the handball courts to a 'head house' is sad. Loosing all those beautiful old sycamores is unthinkable. Put the tanks and head house as close to the canal as possible, the head house opposite the pumping station, insist on a plan to build a REAL temporary park (or even a new permanent, better park complex only once, for goodness sake!), save the trees, save the playground, and gain as much additional public parkland over the CSO tanks as possible. THINK like you care, remediate responsibly, and save as much of the good as possible. Thank you

Name	City	State	Postal Code	Country	Signed On
Sabine Aronowsky	Brooklyn	New York	11217	United States	5/5/2016
Corinne Goodman	Brooklyn	New York	11215	United States	5/9/2016
Tracey Pinkard	Brooklyn	New York	11217	United States	5/9/2016
Phillip Hope	Brooklyn	New York	11215	United States	5/9/2016
Katrina Motch	Brooklyn	New York	11225	United States	5/9/2016
Angie Phillips	Brooklyn	New York	11207	United States	5/9/2016
Stu Anderson	Brooklyn	New York	11215	United States	5/9/2016
mitzy andino	Brooklyn	New York	11217	United States	5/10/2016
Maria Marcano	Brooklyn	New York	11217	United States	5/10/2016
Jonathan Chang	Brooklyn	New York	11217	United States	5/10/2016
Steve de Seve	Brooklyn	New York	11201	United States	5/10/2016
Sarah Garraoui	Brooklyn	New York	11217	United States	5/10/2016
Lenin Cancel	Brooklyn	New York	11217	United States	5/10/2016
Lance Shelton	Brooklyn	New York	11206	United States	5/10/2016
Jonathan Vandenburg	BROOKLYN	New York	11217	United States	5/10/2016
Christine Schwartz Hartley	Brooklyn	New York	11217	United States	5/10/2016
Elizabeth Lahart	Brooklyn	New York	11217	United States	5/10/2016
Danielle Delaloye	Brooklyn	New York	11217	United States	5/10/2016
SARAH LAVERY	BROOKLYN	New York	11238-6151	United States	5/10/2016
Ing Leevsten	Brooklyn	New York	11217	United States	5/10/2016
Christian Fox	Brooklyn	New York	11217	United States	5/10/2016
alexandra dadourian	brooklyn	New York	11217	United States	5/10/2016
Kate Rubin	Brooklyn	New York	11215	United States	5/10/2016
debra smock	Brooklyn	New York	11217	United States	5/11/2016
Hollister White	Brooklyn	New York	11217	United States	5/11/2016
Cassandra Kinyon	Brooklyn	New York	11215	United States	5/11/2016
Brian Giambalvo	Brooklyn	New York	11215	United States	5/11/2016
Douglas Gordon	Brooklyn	New York	11215	United States	5/11/2016
Steve Miller	Brooklyn	New York	11215	United States	5/11/2016
Grace Freedman	Brooklyn	New York	11217	United States	5/11/2016
Theo Kogan	Brooklyn	New York	11215	United States	5/11/2016
Brenna Griffin	New York	New York	11231	United States	5/11/2016
Barbara Buenz	Brooklyn	New York	11215	United States	5/11/2016
zoe kogan	Brooklyn	New York	11215	United States	5/11/2016
Birgitta Rubin	Brooklyn	New York	11215	United States	5/11/2016
christine napolitan	Brooklyn	New York	11215	United States	5/12/2016
Valerie Whispersb Bell	Brooklyn	New York	11217	United States	5/12/2016
Lizette Arthur	Brooklyn	New York	11203	United States	5/12/2016
tiffany williams	New York	New York	10002	United States	5/12/2016
Charlene Nimmons	Brooklyn	New York	11217	United States	5/12/2016
analuisa valentin	new york	New York	10002	United States	5/12/2016
Leona Dickerson	Brooklyn	New York	11217	United States	5/13/2016
sylvia vega	Brooklyn	New York	11201	United States	5/13/2016
sara greenfield	Brooklyn	New York	11220	United States	5/16/2016
Mecca Culbert	New York	New York	11201	United States	5/17/2016
James Edward Heck	Richmond	Virginia	23224	United States	5/17/2016

sarah wikency	East Jerusalem		11217 Palestinian Territory	5/17/2016
Douglas Barnes	Brooklyn	New York	11217 United States	5/17/2016
Sophie Bell	Brooklyn	New York	11217 United States	5/17/2016
Mary McDaniel	New York	New York	11201 United States	5/17/2016
Devlin Miles	Brooklyn	New York	11205 United States	5/17/2016
Kreg Holt	Brooklyn	New York	11238 United States	5/17/2016
Dan Hirschi	Brooklyn	New York	11215 United States	5/17/2016
Matt Cohen	Brooklyn	New York	11217 United States	5/17/2016
Liz Opoka	Brooklyn	New York	11215 United States	5/18/2016
Catherine Hogg	New York	New York	10022 United States	5/18/2016
Lissa Wolfe	Brooklyn	New York	11217 United States	5/18/2016
Kathryn Schneider	Brooklyn	New York	11217-2030 United States	5/18/2016
Natalie Wheeler	Brooklyn	New York	11234 United States	5/18/2016
Shawn Lewis	Brooklyn	New York	11216 United States	5/18/2016
Danielle Safonte	Brooklyn	New York	11218-1030 United States	5/19/2016
Janice Cardona-Smock	Brooklyn	New York	11217 United States	5/19/2016
D Reznik	New York	New York	11201 United States	5/19/2016
Kaye McKenzie	Brooklyn	New York	11217 United States	5/19/2016
Erin Cooney	Brooklyn	New York	11215 United States	5/19/2016
Paul Zinman	Brooklyn	New York	11217 United States	5/19/2016
James Vogel	Brooklyn	New York	11217 United States	5/19/2016
Tenya Steele	Valley Stream	New York	11580 United States	5/19/2016
Liz Brownback	Brooklyn	New York	11217 United States	5/21/2016
tim wilkins	Brooklyn	New York	11215 United States	5/22/2016
Beth Bingham	Brooklyn	New York	11217 United States	5/22/2016
Lindsey Saldivar	Brooklyn	New York	11217 United States	5/25/2016
Justin Israelson	Brooklyn	New York	11218 United States	5/25/2016
James Case	New York	New York	11201 United States	5/25/2016
Ioana Kutuzova	Brooklyn	New York	11225 United States	5/25/2016
Steven Wojcik	Brooklyn	New York	11218 United States	5/25/2016
Patricia Conway	Brooklyn	New York	11217 United States	5/25/2016
Craig Toohey	Seattle	Washington	11216 United States	5/25/2016
Charles Sheehan	New York	New York	10001 United States	5/26/2016
Isabel Kraut	Brooklyn	New York	11218 United States	5/26/2016
Janet Gallagher	Woodside	New York	11377 United States	5/26/2016
Tim Chaffee	Brooklyn	New York	11215 United States	5/27/2016
Anna Botardo	Brooklyn	New York	11217 United States	5/28/2016
Peter Reich	Brooklyn	New York	11217 United States	5/28/2016

To: EPA Region 2 Gowanus Canal Superfund Director, Walter Muggan, regarding the proposed agreement with the City of New York for the location of the RH-034 sewage and storm water retention tank.

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Name	Address	Telephone	E-mail	Comments
Dave Powell	621 Degraw St. BKLYN NY 11217	718 237-2017	dpowell@fifthave.org	
Michelle deLallz	621 Degraw St BKlyn, ny 11217	718-237-2017	mdelauz@fifthave.org	
Moreen Trice Rose	621 Degraw St., BKlyn 11217	718 237-2017	irose@fifthave.org	
Sorani Fisher	621 Degraw St. BKlyn, NY 11217	(718) 237-2017	SEABrook-Fisher@fifthave.org	
ROBERT McCool	621 DEGRAW ST., BKLYN, NY 11217	718-237-2017	rmccool@fifthave.org	
Leif NIELSEN	621 DEGRAW ST 11217	718 237-2017	RNIELSEN@FIFTHAVE.ORG	
ASHIFFMAN, ARON	621 DEGRAW STREET 11217	718 237 2017 x132	ASHIFFMAN@BWTNY.ORG	
Ali Chandler	621 Degraw St 11217	718 237-2017 x130	a.chandler@fifthave.org	
Ron ZAK	621 Degraw St. 11217	718-237-2017 x130	RZAK@fifthave.org	

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Name	Address	Telephone	E-mail	Comments
Camille CAZON	621 Degraw St.	718.237.2017	ccazon@fathave.org	
ERICA STOLTZ	932 Lincoln Pl. #1	718 768-2397	ERICASTOLTZ@gmail.com	

Dear TK



To: EPA Region 2 Gowanus Canal Superfund Director, Walter Mugdan, regarding the proposed agreement with the City of New York for the location of the RH-034 sewage and storm water retention tank.

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Name	Address	Telephone	E-mail	Comments
C. Silva	572 Warren st			Keep the Pool
D Johnson	572 Warren St			Save the Pool
A. Grant	572 Warren St			Keep the pool
J. FANTAUZZI	572 Warren			Keep the pool clean water

To: EPA Region 2 Gowanus Canal Superfund Director, Walter Muggan, regarding the proposed agreement with the City of New York for the location of the RH-034 sewage and storm water retention tank.

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Name	Address	Telephone	E-mail	Comments
Sharon Taylor	418 Atlantic Ave.	718-694-9344	sharon@handsae.com	
Lou Choblet (Payer)	422 Atlantic Ave	917-620-5422	choblet@msn.com	
Yaya	50 E. 19 th St.	(347) 636-6957	chasingyaya@gmail.com	
Mansa Taylor	354 47 th St	201 668 9812	taylormansa@gmail.com	
JoAnne Worrel	187 Bond St	929-271-7609	Mejpanne7@hotmail.com	

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Name	Address	Telephone	E-mail	Comments
JESSIA HENSON	53 SUMMIT ST. #2A, BK, 11231	917.617.4211	JESSIAHENSON23@GMAIL.COM	
Jamaal Redon	1620 Grand Concourse 18B	(646) 575-2731	RedonJamaal@gmail.com	
Shanice Catini	186 Utica Ave BK NY 11213	347-424-3195	SC_catini@hotmail.com	
Paul Hawkins	12 Gates Ave, Melverne NY 11565	516-596-0974	Paulhawkinsny@gmail.com	
LAURIE PHELAN	La Phele 24 Morris Pt. BK, NY	718-624-7145	Lupe CORCORAN.COM	
Emily Cohen	53 Boerum Place	917-212-8765	emily_cohen@corcoran.com	



Joe An Brown

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Name	Address	Telephone	E-mail	Comments
<i>Joe An Brown</i>	<i>572 Warren St SF</i>	<i>347-282-3599</i>		
<i>KAREN GONZALEZ</i>	<i>356 BUTLER</i>		<i>YXLULUYX@GMAIL.COM</i>	
<i>Neerja Vasishtha</i>	<i>356 Butler</i>		<i>neerja.vasishtha@gmail.com</i>	
<i>Claribel Rivera</i>	<i>572 Warren St 5th</i>			
<i>Sophia Fontana</i>	<i>572 Warren St SE</i>	<i>347-294-0081</i>		<i>We need it for the kids that live around here</i>
<i>Samir Collins</i>	<i>572 Warren St</i>			
<i>Walberto Saevedra</i>	<i>572 Warren St</i>			
<i>Marcus Green</i>	<i>572 Warren St. 5L</i>	<i>718.501.8348</i>	<i>marcusgreen1@hotmail.com</i>	
<i>Shirley Valle</i>	<i>572 Warren St 5N</i>	<i>347 961-4375</i>	<i>PRØFUGA73@aol.com</i>	<i>Kids need to have SUMMER ACTIVITIES</i>

2m

Joe Am Bona



To: EPA Region 2 Gowanus Canal Superfund Director, Walter Muggan, regarding the proposed agreement with the City of New York for the location of the RH-034 sewage and storm water retention tank.

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Name	Address	Telephone	E-mail	Comments
<i>Amber Fortunato</i>	<i>572 Warren St 3m</i>	<i>518 732 5604</i>	<i>theambershawo@gmail.com</i>	
<i>Jennifer Fortunato</i>	<i>572 Warren St 5c</i>	<i>518 335 3449</i>	<i>JJonec242@gmail.com</i>	
<i>Jake and Mewa</i>	<i>572 Warren St 20</i>	<i>347-743-4662</i>		
<i>Ramon Morales</i>	<i>572 Warren St 2m</i>			
<i>R. Vely</i>	<i>572 WARREN ST</i>			
<i>William Catimore</i>				
<i>Mildred Marty</i>	<i>572 Warren St 2A</i>	<i>917-204-4256</i>	<i>Mildredm37@aol.com</i>	
<i>A. Letourne</i>	<i>572 WARREN ST. 2B</i>			
<i>Yen Li</i>	<i>572 Warren St 2C</i>	<i>646-338-9996</i>		

3H 3F 3K

Joe An Bruno



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Name	Address	Telephone	E-mail	Comments
Malachi Grant	572 Warren	347 4482231		
Maria Lugo	572 Warren St ³⁶			
Corline Scott	572 Warren St ^{3K}	718-797-1344		
Amanda Espinal	572 Warren St ^{3E}	347-502-9784	aespinal0908@gmail.com	
Sheila Ellis	572 Warren St ^{3D}	212-458-7925		
Elizabeth Arias	572 Warren St ^{3B}			
Emily Paton	572 Warren St ^{3C}			
Katie Starbuck	572 Warren St			
Conilee R. Moore	572 Warren St	1718 8524786		

Joe A. Brown

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Name	Address	Telephone	E-mail	Comments
<i>Mozz Tavernant</i>	<i>572 Warren St 50</i>			
<i>Burke Hernandez</i>	<i>572 Warren St 60F</i>			
<i>J. Lopez</i>	<i>572 Warren 6A</i>			
<i>S. Mason</i>	<i>572 Warren 6K</i>			
<i>Sunny Spandy</i>	<i>572 Warren 6H</i>			
<i>Stacy Powell</i>	<i>572 Warren 6J</i>			
<i>P. Marks</i>	<i>572 Warren 6B</i>			
<i>A. Morales</i>	<i>572 Warren 6D</i>			
<i>C. McNeill</i>	<i>572 Warren St. 6K</i>			

#A- 4F 4G 4K 4H 4J 4L *John Brown*



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Name	Address	Telephone	E-mail	Comments
<i>Shameka Smith</i>	<i>572 Warren St. 6P</i>			
<i>Yesenia Caldwell</i>	<i>572 Warren St 11217</i> <i>60 Bklyn</i>			
<i>Veronica Chenele</i>	<i>572 Warren St. Apt. 4D</i>			
<i>Angel Rivera</i>	<i>572 Warren St Apt 4C</i>			
<i>Corbett, Elizabeth</i>	<i>572 Warren St Apt 4B</i>	<i>917 543 2908</i>	<i>ablem7@aol.com</i>	
<i>Agnes Workman</i>	<i>572 Warren St Apt 4A</i>	<i>718 404-8907</i>		
<i>Linda Workman</i>	<i>572 Warren St Apt 4A</i>	<i>646 671-1852</i>		
<i>Maria Lopez</i>	<i>572 Warren St 40</i>	<i>718 243 2674</i>	<i>Mlopez111@NYC.NY.COM</i>	
<i>Cecilia Canlon</i>	<i>572 Warren St 4A</i>			

Joe Ann Brown

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Name	Address	Telephone	E-mail	Comments
MOZELLA Dupre	572 warren st, 25			
SMU	572 warren st 1A			
	572 warren st 1D			
Louis Rodriguez	572 Warren St 1B			
Diana Felix	572 WARREN ST 2P			
SANDRA Garcia	574 Warren St 6G			
DOREEN CACCAMO	574 " 6H			
LOUISIANA Vasquez	572 Warren St #2L			
MILZA Phillips	574 Warren St #2T			

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Name	Address	Telephone	E-mail	Comments
Ellie Polk	473 President	541 331 5529	ellie@jodyfitzpatrick.com	
BRANDON POLANCO	473 PRESIDENT	347-216-9045	brandopolanco@gmail.com	
Elvira Melamed	473 President	347-820-0805	elviramelamed@gmail.com	
Theo Shier	473 President	929-200-2602	theoshier@gmail.com	
MARINA TARA	473 President	917 775 4208	MARINA.E.TARA@gmail.com	
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Anita Seeratan	473 President	646 402 2056	Aseeratan@gmail.com	
Amaya Hunt	473 President	310-977-4342	amaya.kelsey.hunt@gmail.com	
Matt Pagliaro	473 President	347-303-1300	mpagliaro1984@gmail.com	

To: EPA Region 2 Gowanus Canal Superfund Director, Walter Muggan, regarding the proposed agreement with the City of New York for the location of the RH-034 sewage and storm water retention tank.

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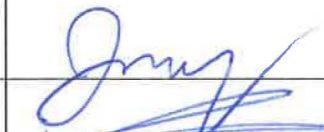




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NICK NYHAN	343 13 St BIL, NY 11215	917-796-5340	nicknyhan@mac.com	
Kate Andrews	24 2nd Place 11231	917-301-4592	KateLew@gmail.com	

To: EPA Region 2 Gowanus Canal Superfund Director, Walter Mugdan, regarding the proposed agreement with the City of New York for the location of the RH-034 sewage and storm water retention tank.

Thank you for making the polluters pay and not our community!

Friends of Thomas Greene Park (FOTGP) would like to thank the EPA for its hard work and dedication in reaching an arrangement with the City of New York that avoids siting the RH-034 sewage and storm water retention tank facility at the Douglass and Degraw (Double D) community pool location within Thomas Greene Park. FOTGP and the undersigned support this agreement, which should reduce the length of planned disruption for remediation efforts within the Park, avoid any permanent alienation of park space and present an opportunity to increase our parkland. We ask the EPA to continue to hold the City of New York, National Grid, and all other responsible polluters accountable to ensure a timely cleanup of the Canal and Park and to guarantee continuity of the Park's amenities and services. We urge EPA to include clear requirements for a temporary park and park reconstruction, as well as community participation in those processes, in future orders and agreements with National Grid and all other responsible polluters.

Name	Address	Telephone	E-mail	Comments
Lori Silverstein	360 Smith St.	347-689-9995	lori.a.silverstein@gmail.com	
Cathy Diane	82 Woodhull St	917 975 7380	Pinkycd@aol.com	
Sve Wolfe	143 Lafayette Ave #1A Brooklyn, NY 11238	917-868-5332	Sve.Wolfe@corcoran.com	Helps me!
Paul Reinitz + Gabrielle Glenman	433 Warren St TH-E Brooklyn, NY 11217	646-522-7540	paulreinitz@gmail.com	
Jordan Young	421 Degraw St. Apt. 214 Brooklyn, NY 11217		JordanYoung78@gmail.com	
Steve DeSeve	111 Coult St #3C 11201	917 330 6147	steveseve@yahoo.com	
Shannon Snyder	390 Wythe Ave #10 Brooklyn, NY 11249	307-946-4083		
Elsa Ben Shimon	421 Degraw St. #2H Brooklyn, NY 11217	646-675-6735	elsa.benshimon@gmail.com	
Hannah Bossio	95 Prospect Park West	(718) 965-8992	hannah.bossio@parks.nyc.gov	

To: EPA Region 2 Gowanus Canal Superfund Director, Walter Mugdan, regarding the proposed agreement with the City of New York for the location of the RH-034 sewage and storm water retention tank.

Thank you for making the polluters pay and not our community!

Friends of Thomas Greene Park (FOTGP) would like to thank the EPA for its hard work and dedication in reaching an arrangement with the City of New York that avoids siting the RH-034 sewage and storm water retention tank facility at the Douglass and Degraw (Double D) community pool location within Thomas Greene Park. FOTGP and the undersigned support this agreement, which should reduce the length of planned disruption for remediation efforts within the Park, avoid any permanent alienation of park space and present an opportunity to increase our parkland. We ask the EPA to continue to hold the City of New York, National Grid, and all other responsible polluters accountable to ensure a timely cleanup of the Canal and Park and to guarantee continuity of the Park's amenities and services. We urge EPA to include clear requirements for a temporary park and park reconstruction, as well as community participation in those processes, in future orders and agreements with National Grid and all other responsible polluters.

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Friends of Thomas Greene Park, Gowanus, Brooklyn

Recipient: Judith A. Enck

Letter: Greetings,

While we, the undersigned, support a comprehensive Superfund cleanup of the Gowanus Canal that includes addressing raw sewage overflows, we also insist that Superfund follow its own principles and make the polluters pay, not our community!

For this reason, we strongly oppose the EPA's proposed placement of a raw sewage holding tank to be built at the Douglass and Degraw (Double D) community pool and Thomas Greene Park site in Gowanus, Brooklyn and request that the alternative location identified for the proposed raw sewage retention tank be selected.

With over \$500M being spent on this EPA Superfund cleanup alone, this cleanup must be an investment in our community, and not THEFT of public parkland. The Superfund cleanup is extracting large amounts of money from Potentially Responsible Parties (PRP's), and it was revealed at a recent DEP meeting that \$50 million was spent on consultants as part of the retention tank siting selection process – this sum alone could have funded the estimated cost to replace the Double D pool. Federal, state and city agencies must effectively coordinate to protect public resources and minimize impact to the local community in the Superfund cleanup of the Gowanus Canal so that capturing raw sewage before it enters the Gowanus Canal does not mean a raw deal for the tens of thousands of families who have come to depend on the Thomas Greene Park and Double D Pool for crucial park and recreation space.

As such, we ask for guarantees to our community that any displacement or disruption to the Thomas Greene Park and Double D Pool deemed necessary as a result of the EPA, and forthcoming DEC Superfund cleanup, be met with enforceable measures to provide for the funding and seamless transition of the park facilities (pool, playground, skatepark, basketball courts) and services (the School Food Lunch, Learn to Swim, cooling centers, etc.) at a nearby temporary location. Furthermore, full restoration and permanent replacement of all the community services and park amenities must be accounted for.

Signatures

Name	Location	Date
Virginia Vitzthum	brooklyn, NY, United States	2013-04-09
Michael White	Brooklyn, NY, United States	2013-04-09
Cathleen Bell	Brooklyn, NY, United States	2013-04-09
Rick Kahn	Brooklyn, NY, United States	2013-04-09
Luke Mondello	Brooklyn, NY, United States	2013-04-09
Lyn Miller	Hanover, NH, United States	2013-04-09
Claudia GWardyak	Brooklyn, NY, United States	2013-04-09
SJ Avery	Brooklyn, NY, United States	2013-04-09
Lorraine Diggory	Webster, NY, United States	2013-04-09
Lauri Schindler	Brooklyn, NY, United States	2013-04-09
Teri West	Brooklyn, NY, United States	2013-04-09
Marilyn Schiller	Brooklyn, NY, United States	2013-04-09
Melissa Stein	Brooklyn, NY, United States	2013-04-09
Doug Gordon	Brooklyn, NY, United States	2013-04-09
David Kraus	Brooklyn, NY, United States	2013-04-09
Darren Mitton	Decatur, GA, United States	2013-04-09
Joseph Entin	Brooklyn, NY, United States	2013-04-09
Concerned Citizen	New City, NY, United States	2013-04-10
Catherine O'Malley	Brooklyn, NY, United States	2013-04-10
Leora Kaye	New York, NY, United States	2013-04-10
Zoe White	Brooklyn, NY, United States	2013-04-10
Laura Saxon	morrison, FL, United States	2013-04-10
Ellie Connolly	BROOKLYN, NY, United States	2013-04-10
Rose Latino	Brooklyn, NY, United States	2013-04-10
Atea Martin	Brooklyn, NY, United States	2013-04-10
Sara Greenfield	Brooklyn, NY, United States	2013-04-10
colleen mullin	brooklyn, NY, United States	2013-04-10
esra dayani	New York, NY, United States	2013-04-10
Jenna Musnicki	Brooklyn, NY, United States	2013-04-10
VALERIE BELL	bklyn, NY, United States	2013-04-10

Name	Location	Date
Andrea Cherrington	Brooklyn, NY, United States	2013-04-10
Amy Herda-DeCoursy	Brooklyn, NY, United States	2013-04-10
Sean Pierce	Brooklyn, NY, United States	2013-04-10
Sarah Fader	Brooklyn, NY, United States	2013-04-10
Matthew Cohen	Brooklyn, NY, United States	2013-04-10
Nicole Krieger	Brooklyn, NY, United States	2013-04-10
Adam Cherrington	New York, NY, United States	2013-04-10
Marcia Friedland	Brooklyn, NY, United States	2013-04-10
Nadine Baldasare	Brooklyn, NY, United States	2013-04-10
Colleen Cruz	Brooklyn, NY, United States	2013-04-10
charlie bogen	Junction City, KS, United States	2013-04-10
Francine Simonson	Brooklyn, NY, United States	2013-04-10
Judith Rixner	New York, NY, United States	2013-04-10
Sheva Wolf	Brooklyn, NY, United States	2013-04-10
Susie Farrell	Brooklyn, NY, United States	2013-04-10
Gary Friedland	Brooklyn, NY, United States	2013-04-10
Michele Sonerville	New York, NY, United States	2013-04-10
Anne Ramos	New York, NY, United States	2013-04-10
Aileen Cleary	New York, NY, United States	2013-04-10
Samantha Lobis	Brooklyn, NY, United States	2013-04-10
Emily Phillips	Brooklyn, NY, United States	2013-04-10
Kimberly Greenland	Brooklyn, NY, United States	2013-04-10
Theo Kogan	Brooklyn, NY, United States	2013-04-10
Maaïke Bouwmeester	Brooklyn, NY, United States	2013-04-10
gregg mitchell	brooklyn, NY, United States	2013-04-10
Kinjia Hinterland	Brooklyn, NY, United States	2013-04-10
Birgitta Rubin	Brooklyn, NY, United States	2013-04-10
Nikki Waller	Brooklyn, NY, United States	2013-04-10
Anne Sherman	Brooklyn, NY, United States	2013-04-10
Andrea Chu	Brooklyn, NY, United States	2013-04-10
Piper Kerman	Brooklyn, NY, United States	2013-04-10
Seth Phillips	Brooklyn, NY, United States	2013-04-10

Name	Location	Date
gillian conroy	brooklyn, NY, United States	2013-04-10
Jeremy hutchins	Brooklyn, NY, United States	2013-04-10
Katie Cunningham	Brooklyn, NY, United States	2013-04-10
jean golden	east lansing, MI, United States	2013-04-10
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Julie Sebunya	Brooklyn, NY, United States	2013-04-10
Bernardo Issel	New York, NY, United States	2013-04-10
Arianne Schaeffer	New York, NY, United States	2013-04-10
sharon Sedgwick	New York, NY, United States	2013-04-10
David Franklin	Brooklyn, NY, United States	2013-04-10
Andrea Friedland	Brooklyn, NY, United States	2013-04-10
kristian nunez	Brooklyn, NY, United States	2013-04-10
Adam Caswell	Brooklyn, NY, United States	2013-04-10
Reba Frankel	Brooklyn, NY, United States	2013-04-10
Amanda Agudelo	Brooklyn, NY, United States	2013-04-10
Stephanie Shih	Brooklyn, NY, United States	2013-04-10
Jayson Ramos	Brooklyn, NY, United States	2013-04-10
Michael DiSanto	Brooklyn, NY, United States	2013-04-10
Evan Shapiro	Brooklyn, NY, United States	2013-04-10
Charles Lan	Brooklyn, NY, United States	2013-04-10
Jessica Tolliver	Brooklyn, NY, United States	2013-04-10
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joanne o'sullivan	New York, NY, United States	2013-04-10
Isla Leaver-Yap	Brooklyn, NY, United States	2013-04-10
Christina Anderson	Brooklyn, NY, United States	2013-04-10
Diana English	Brooklyn, NY, United States	2013-04-10
Patrick Phillips	Brooklyn, NY, United States	2013-04-10
Amelia Holcomb	Brooklyn, NY, United States	2013-04-10
Teri Cunningham	Brooklyn, NY, United States	2013-04-10
Jennifer Minetree	New York, NY, United States	2013-04-10
Daniel Casner	Staten Island, NY, United States	2013-04-10
jesse groom	Brooklyn, NY, United States	2013-04-10

Name	Location	Date
Christine Fitts	Brooklyn, NY, United States	2013-04-10
Andrea Couch	Brooklyn, NY, United States	2013-04-10
Lucy Prather	Brooklyn, NY, United States	2013-04-10
Melissa Maupin	Brooklyn, NY, United States	2013-04-10
Lila Barrett	Brooklyn, NY, United States	2013-04-10
theresa jehamy	brooklyn, NY, United States	2013-04-10
Melissa Komadina	Brooklyn, NY, United States	2013-04-10
Rachel Lynch-John	Brooklyn, NY, United States	2013-04-10
Mary Weatherburn	Brooklyn, NY, United States	2013-04-10
Madeline Peikes	Brooklyn, NY, United States	2013-04-10
AJ Jitchaku	Brooklyn, NY, United States	2013-04-10
Kristen Davis	Brooklyn, NY, United States	2013-04-10
Nancey Jo Tolliver	Catlett, VA, United States	2013-04-11
Charlene Nimmons	Brooklyn, NY, United States	2013-04-11
Seth Harris	Brooklyn, NY, United States	2013-04-11
Austin Reed	New York, NY, United States	2013-04-11
Kevin Osgood	Brooklyn, NY, United States	2013-04-11
chris kidle	brooklyn, NY, United States	2013-04-11
Tamara Greenfield	Brooklyn, NY, United States	2013-04-11
Stephanie Wissinger	Brooklyn, NY, United States	2013-04-11
Eileen Lynch	Brooklyn, NY, United States	2013-04-11
Banafsheh Zand	Brooklyn, NY, United States	2013-04-11
Marisa Schwartz	Brooklyn, NY, United States	2013-04-11
Zoe Pellegrino	Brooklyn, NY, United States	2013-04-11
Sarah Reynolds	Brooklyn, NY, United States	2013-04-11
Tamar Smith	Brooklyn, NY, United States	2013-04-11
Kelly Kelleher	Point Lookout, NY, United States	2013-04-11
Lisanne McTernan	Brooklyn, NY, United States	2013-04-11
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Carla Carrero	Brooklyn, NY, United States	2013-04-11
Erin Kelly	Brooklyn, NY, United States	2013-04-11
Adina Gunsburg	Brooklyn, NY, United States	2013-04-11

Name	Location	Date
Manuel Carrero	Brooklyn, NY, United States	2013-04-11
Brogan Ganley	11231, NY, United States	2013-04-12
Rosie Zexter	New York, NY, United States	2013-04-12
Mariana Aslan	Brooklyn, NY, United States	2013-04-12
Sharon Chen	Brooklyn, NY, United States	2013-04-12
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Joan Halligan-Wang	Middle Village, NY, United States	2013-04-13
Mireille Mclean	Brooklyn, NY, United States	2013-04-13
Denise Morales	Brooklyn, NY, United States	2013-04-14
Cori Landry	Brooklyn, NY, United States	2013-04-14
Kim Huskey	Brooklyn, NY, United States	2013-04-15
Lance Pinn	Brooklyn, NY, United States	2013-04-15
Melanie Wilkinson	Brooklyn, NY, United States	2013-04-15
Elizabeth Wolfe	Brooklyn, NY, United States	2013-04-15
Naidre Miller	Brooklyn, NY, United States	2013-04-15
Alexandria Rodriguez	Brooklyn, NY, United States	2013-04-15
Garance Wilkens	Brooklyn , France	2013-04-15
Georgia West Stacey	Brooklyn, NY, United States	2013-04-15
Katharine Ogg	New York, NY, United States	2013-04-15
Kristin Mensing	Brooklyn, NY, United States	2013-04-15
Davis Family	Brooklyn, NY, United States	2013-04-15
Grace Nam	Brooklyn, NY, United States	2013-04-15
Lorraine Le Tac	Brooklyn, NY, United States	2013-04-15
Maria Reeves	Brooklyn, NY, United States	2013-04-15
NORA GERSTEIN	BROOKLYN, NY, United States	2013-04-15
Emily Fraser Voigt	New York, NY, United States	2013-04-15
Linda Blyer	Bklyn, PA, United States	2013-04-15
Abigail Bedrick	Brooklyn, NY, United States	2013-04-15
Jessica Weitzman	Brooklyn, NY, United States	2013-04-15
Christa Boeke	Brooklyn, NY, United States	2013-04-15
Elizabeth Stites	Brooklyn, NY, United States	2013-04-15
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Name	Location	Date
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Michelle Zell	New York, NY, United States	2013-04-15
Leah Clarkson	Brooklyn, NY, United States	2013-04-15
Kate Brash	Brooklyn, NY, United States	2013-04-15
Shanna Hill	Brooklyn, NY, United States	2013-04-15
Radha Subramanyam	brooklyn, NY, United States	2013-04-15
Kerstin Hofmann	Brooklyn, NY, United States	2013-04-15
colleen devery	brooklyn, NY, United States	2013-04-15
Corinne Goodman	Brooklyn, NY, United States	2013-04-15
Rachel Lozoff	Brooklyn, NY, United States	2013-04-15
Jane Higgins	Brooklyn, NY, United States	2013-04-15
Rebecca Stewart	Brooklyn, NY, United States	2013-04-15
Deirdre Chadwick	Brooklyn, NY, United States	2013-04-15
Sarah Way	Brooklyn, NY, United States	2013-04-15
Katie Bednark	Brooklyn, NY, United States	2013-04-15
Theresa Gonzalez	Brooklyn, NY, United States	2013-04-15
Alison Khalaf	Brooklyn, NY, United States	2013-04-15
Jennifer Kulp	Brooklyn, NY, United States	2013-04-15
Gloria Mattera	Brooklyn, NY, United States	2013-04-15
Reyhan Mehran	Brooklyn, NY, United States	2013-04-15
Cathleen Towle	Brooklyn, NY, United States	2013-04-15
Dan Makarov	Brooklyn, NY, United States	2013-04-15
Charlotte Kaiser	Brooklyn, NY, United States	2013-04-15
J. Sturm	Brooklyn, NY, United States	2013-04-15
Christelle Dargent	New York, NY, United States	2013-04-15
amanda magalhaes	brooklyn, NY, United States	2013-04-15
Kevin MacCallum	Brooklyn, NY, United States	2013-04-15
Jen Gordon	Brooklyn, NY, United States	2013-04-15
Laura De Nunzio	Brooklyn, NY, United States	2013-04-15
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Name	Location	Date
Melissa Guion	Brooklyn, NY, United States	2013-04-15
Katharine James	Brooklyn, NY, United States	2013-04-15
Clement Dargent	Brooklyn, NY, United States	2013-04-15
Jane Bliss	Brooklyn, NY, United States	2013-04-15
Sylvie Grimm	brooklyn, NY, United States	2013-04-15
Savannah Jones	Brooklyn, NY, United States	2013-04-15
Bianca Ellerbe	Brooklyn, NY, United States	2013-04-15
Joelle Ellington	brooklyn, NY, United States	2013-04-15
Naylah Leon	New York, NY, United States	2013-04-15
Maria Bravo	brooklyn, NY, United States	2013-04-15
patrick burns jr	Brooklyn, NY, United States	2013-04-15
Talia Willner	Brooklyn, NY, United States	2013-04-15
Daniela Jung	Brooklyn, NY, United States	2013-04-15
Tanti Rosadi	New York, NY, United States	2013-04-15
Sarah Lichtman	Brooklyn, NY, United States	2013-04-15
Randi Hecht	Brooklyn, NY, United States	2013-04-15
Alison Downey	Madison, WI, United States	2013-04-15
Diana Son	Brooklyn, NY, United States	2013-04-15
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Sara Thompson	Brooklyn, NY, United States	2013-04-15
Melissa Nusbaum	Brooklyn, NY, United States	2013-04-15
Johanna Bauman	Brooklyn, NY, United States	2013-04-15
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Nick Peterson	Brooklyn, NY, United States	2013-04-15
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Rebecca Ralls	Brooklyn, NY, United States	2013-04-15
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Name	Location	Date
Daniela Poe	Brooklyn, NY, United States	2013-04-15
Alice Rubin	Brooklyn, NY, United States	2013-04-15
Dohra Ahmad	New York, NY, United States	2013-04-15
Laura Sainz	Brooklyn, NY, United States	2013-04-15
Karen Baker	Brooklyn, NY, United States	2013-04-15
Antonia Martinelli	Brooklyn, NY, United States	2013-04-15
Sarah Moriarty	Brooklyn, NY, United States	2013-04-16
Elizabeth DeHaven	Brooklyn, NY, United States	2013-04-16
Carla Rajj	Brooklyn, NY, United States	2013-04-16
Hilda Cohen	Brooklyn, NY, United States	2013-04-16
Abby Hanlon	Brooklyn, NY, United States	2013-04-16
Henry King	Brooklyn, NY, United States	2013-04-16
Nathan Brauer	Brooklyn, NY, United States	2013-04-16
Niki Warin	Brooklyn, NY, United States	2013-04-16
Daphne Bernard	Brooklyn, NY, United States	2013-04-16
Eva Midgley	Brooklyn, NY, United States	2013-04-16
Elisabeth Fearnley	Brooklyn, NY, United States	2013-04-16
Leigh Smith	Brooklyn, NY, United States	2013-04-16
kathleen hackett	Brooklyn, NY, United States	2013-04-16
dnora roback	brooklyn, NY, United States	2013-04-16
Erica Zielinski	Brooklyn, NY, United States	2013-04-16
Marlene Flaton	brooklyn, NY, United States	2013-04-16
Theresa Chinte	Brooklyn, NY, United States	2013-04-16
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Carolynn Di Fiore	Brooklyn, NY, United States	2013-04-16
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Name	Location	Date
Maria McGrath	Brooklyn, NY, United States	2013-04-16
Margaret O'Keefe	Brooklyn, NY, United States	2013-04-16
Charlotte Phillips	Brooklyn, NY, United States	2013-04-16
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Maggie Romine	Brooklyn, NY, United States	2013-04-16
Nancy Dodd	Brooklyn, NY, United States	2013-04-16
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Melissa Ennen	Brooklyn, NY, United States	2013-04-16
Patricia Kelley	Brooklyn, NY, United States	2013-04-16
Andrea Moynier	Brooklyn, NY, United States	2013-04-16
Susan Boyle	Brooklyn, NY, United States	2013-04-16
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Karen Mahler	Brooklyn, NY, United States	2013-04-16
Carla Cantone	New York, NY, United States	2013-04-16
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Arthur Schurr	Brooklyn, NY, United States	2013-04-16
Peter Hume	Brooklyn, NY, United States	2013-04-16
Christine Schwartz Hartley	Brooklyn, NY, United States	2013-04-16
Trace Crutchfield	brooklyn, NY, United States	2013-04-16
cynthia Nielsen	Brooklyn, NY, United States	2013-04-16
Katie Dunn	Brooklyn, NY, United States	2013-04-16
Boaz Weinstein	Brooklyn, NY, United States	2013-04-16
Sarah Bradley	Brooklyn, NY, United States	2013-04-16
Buck Broker	Poughquag, NY, United States	2013-04-16
christine dappolonia	ny, NY, United States	2013-04-16
Ingrid Eberly	Brooklyn, NY, United States	2013-04-16
Ethan Hartshorn	Brooklyn, NY, United States	2013-04-16
Andrea Rashish	Brooklyn, NY, United States	2013-04-16
Jelle Wagenaar	Brooklyn, NY, United States	2013-04-16
Nico Jung	Brooklyn, NY, United States	2013-04-16
Michael Dowd	Brooklyn, NY, United States	2013-04-16
Sibel Mete	Brooklyn, NY, United States	2013-04-16

Name	Location	Date
Peter Laughter	Brooklyn, NY, United States	2013-04-16
Marisa Butler	Brooklyn, NY, United States	2013-04-16
Cathy Garrard	Brooklyn, NY, United States	2013-04-16
patricia stegman	Brooklyn , NY, United States	2013-04-16
Eric Albert	Brooklyn, NY, United States	2013-04-16
Jennifer Bernstein	Brooklyn, NY, United States	2013-04-16
Tracey Maurer	Brooklyn, NY, United States	2013-04-16
Betty Feibusch	Brooklyn, NY, United States	2013-04-16
Shari zisman	Brooklyn, NY, United States	2013-04-16
Courtney Black	Brooklyn, NY, United States	2013-04-16
Carlene Scheel	Brooklym, NY, United States	2013-04-16
Roselyn Kopit	Brooklyn, NY, United States	2013-04-16
Jenna Coplin	Brooklyn, NY, United States	2013-04-16
Marine Putman	Brooklyn, NY, United States	2013-04-16
Little Wing Lee	Brooklyn, NY, United States	2013-04-16
Kaarin Patterson	Brooklyn, NY, United States	2013-04-16
Stephanie Church	Brooklyn, NY, United States	2013-04-16
Jeanette Selles	Brooklyn, NY, United States	2013-04-17
Radha Korman	Brooklyn, NY, United States	2013-04-17
Leslie Budnick	Brooklyn, NY, United States	2013-04-17
Amber Benezra	New York, NY, United States	2013-04-17
Brooke Ferguson	Brooklyn, NY, United States	2013-04-17
Linsey Laidlaw	Brooklyn, NY, United States	2013-04-17
Jessica Hartshorn	Brooklyn, NY, United States	2013-04-17
Lisa Bowstead	Brooklyn, NY, United States	2013-04-17
Barbara Cohen	Brooklyn, NY, United States	2013-04-17
Suzette Cook	Brooklyn, NY, United States	2013-04-17
Agnes Crane	Brooklyn, NY, United States	2013-04-17
carrie Monson	Brooklyn, NY, United States	2013-04-17
Wendy Friedman	Brooklyn, NY, United States	2013-04-17
Amber Troutman	Brooklyn, NY, United States	2013-04-17
Alexandra Rodriguez	New York, NY, United States	2013-04-17

Name	Location	Date
JoAnne Bailey	Brooklyn, NY, United States	2013-04-17
Emily Mason	Brooklyn, NY, United States	2013-04-17
Elizabeth Bulfin	Brooklyn, NY, United States	2013-04-17
Inbar Evron	New York, NY, United States	2013-04-17
M TenHoor	Brooklyn, NY, United States	2013-04-17
jonathan weidlinger	brooklyn, NY, United States	2013-04-17
Ronald Fickelstein	New York, NY, United States	2013-04-17
tim kenefick	Goose Creek, SC, United States	2013-04-17
Anders Thomsen	New York, United States	2013-04-17
Aja Davis	Brooklyn, NY, United States	2013-04-17
Liz Turrigiano	Brooklyn, NY, United States	2013-04-17
Catherine Schwartz	New York, NY, United States	2013-04-17
dominique Doron	Brooklyn, NY, United States	2013-04-17
Elizabeth Williams	Brooklyn, NY, United States	2013-04-17
Jennifer Morello	Brooklyn, NY, United States	2013-04-17
Drew Waters	Brooklyn, NY, United States	2013-04-17
Rose Weber	Brooklyn, NY, United States	2013-04-17
Heather Weber	Brooklyn, NY, United States	2013-04-17
Jessica Trauner	Brooklyn, NY, United States	2013-04-17
Allison Amron	Brooklyn, NY, United States	2013-04-17
Daughtry Carstarphen	Brooklyn, NY, United States	2013-04-17
charles wells	Brooklyn, NY, United States	2013-04-17
kathleen henderson	brooklyn, NY, United States	2013-04-17
Bethany Martin	Brooklyn, NY, United States	2013-04-17
Christine Yu	Brooklyn, NY, United States	2013-04-17
Miyoung Berger	Brooklyn, NY, United States	2013-04-17
David Lengel	Brooklyn, NY, United States	2013-04-17
Michael Handelman	Brooklyn, NY, United States	2013-04-17
Phoebe Lichty	Brooklyn, NY, United States	2013-04-17
kate furst	Brooklyn, NY, United States	2013-04-17
Matt Polacheck	Brooklyn, NY, United States	2013-04-17
Koseli Cummings	Brooklyn, NY, United States	2013-04-17

Name	Location	Date
michelle hova	brooklyn, NY, United States	2013-04-17
Alexis Adams	Brooklyn, NY, United States	2013-04-17
Dominic Francese	Brooklyn, NY, United States	2013-04-17
Lucinda Rosenfeld	Brooklyn, NY, United States	2013-04-17
Jonathan Glazer	Brooklyn, NY, United States	2013-04-17
Kobria Karim	Brooklyn, NY, United States	2013-04-17
Sharon Miodovsky	Brooklyn, NY, United States	2013-04-17
Jessica Morris	Brooklyn, NY, United States	2013-04-17
Gordon Rovins	Brooklyn, NY, United States	2013-04-17
Kathy Twomey	brooklyn, NY, United States	2013-04-17
Barbara Mathe	Brooklyn,, NY, United States	2013-04-17
Daniel Futterman	Brooklyn, NY, United States	2013-04-17
Maria Victoria Toro	New York, NY, United States	2013-04-17
Christopher Weston	Brooklyn, NY, United States	2013-04-17
fred cray	brooklyn, NY, United States	2013-04-17
Kate Rope	Brooklyn, NY, United States	2013-04-17
Hope Cartelli	Brooklyn, NY, United States	2013-04-17
Daniel Kane	Brooklyn, NY, United States	2013-04-17
Shane Rasco	brooklyn, NY, United States	2013-04-17
Nathaniel Lee	Brooklyn, NY, United States	2013-04-17
Jennifer Selden	Brooklyn, NY, United States	2013-04-17
Parker Krasney	Brooklyn, NY, United States	2013-04-17
Erin Martell	Brooklyn, NY, United States	2013-04-17
Honey Theogene	Brooklyn, NY, United States	2013-04-17
Agnes Grandits	Brooklyn, NY, United States	2013-04-17
Katia LIEF	New York, NY, United States	2013-04-17
adam gonzales	brooklyn, NY, United States	2013-04-17
sandye renz	Brooklyn, NY, United States	2013-04-17
Brett Chalfin	Brooklyn, NY, United States	2013-04-17
Emma Mead	Brooklyn, NY, United States	2013-04-17
Tracy Malloy-Curtis	Brooklyn, NY, United States	2013-04-17
Alan Eisenberg	Brooklyn, NY, United States	2013-04-17

Name	Location	Date
Benjamin Weisgall	Brooklyn, NY, United States	2013-04-17
Alice Fornari	Brooklyn, NY, United States	2013-04-17
Stephanie Golden	Brooklyn, NY, United States	2013-04-17
April Burns	Brooklyn, NY, United States	2013-04-17
Sylvia Rodriguez	Brooklyn, NY, United States	2013-04-17
Emily Welty	Brooklyn, NY, United States	2013-04-17
Daniel Goldberg	Brooklyn, NY, United States	2013-04-17
Johanna Schiller	Brooklyn, NY, United States	2013-04-17
Trina Lester	Brooklyn, NY, United States	2013-04-17
robert braun	brooklyn, NY, United States	2013-04-17
Nev D	Brooklyn, NY, United States	2013-04-17
TaraRose Macuch	Brooklyn, NY, United States	2013-04-17
Dijana Mitrovic	Madison, WI, United States	2013-04-17
Mary Ann Giorgio	Brooklyn, NY, United States	2013-04-17
Olivia Ryan	Brooklyn, NY, United States	2013-04-17
Elizabeth Connor	Brooklyn, NY, United States	2013-04-17
Carmen Taveras	Brooklyn, NY, United States	2013-04-17
Christopher Williams	Brooklyn, NY, United States	2013-04-17
Claudia Santino	Brooklyn, NY, United States	2013-04-17
Jaime Brackeen	Astoria, NY, United States	2013-04-17
Quinn Berkman	Brooklyn, NY, United States	2013-04-17
Ellen Simpao	Brooklyn, NY, United States	2013-04-17
Valerie Wattenberg	Brooklyn, NY, United States	2013-04-17
Valentina Zarya	Brooklyn, NY, United States	2013-04-17
Isidora Finkelstein	Brooklyn, NY, United States	2013-04-17
Jordan Green	Brooklyn NY, NY, United States	2013-04-17
Jonathan Schleifer	Brooklyn, NY, United States	2013-04-17
Susan Kovar	BROOKLYN, NY, United States	2013-04-17
Natalie Grybauskas	new york, NY, United States	2013-04-17
Douglas Allen	Brooklyn, NY, United States	2013-04-17
Peter Kinoy	Brooklyn, NY, United States	2013-04-17
Ronnye Davies	Brooklyn, NY, United States	2013-04-17

Name	Location	Date
Alicia Giambrone	Brooklyn, NY, United States	2013-04-17
Kyle Vitale	Brooklyn, NY, United States	2013-04-17
Isadora Reisner	New York, NY, United States	2013-04-17
Alexander Foley	Booklyn, NY, United States	2013-04-17
Andro Matešić	Zadar, , Croatia	2013-04-17
Nicholas Leddy	Brooklyn, NY, United States	2013-04-17
roger johnson	brooklyn, NY, United States	2013-04-17
Susanna Yurick	Brooklyn, NY, United States	2013-04-17
Kara Joseph	Brooklyn, NY, United States	2013-04-17
Joel Potischman	Brooklyn, NY, United States	2013-04-17
Imanigayle Gillison	Brooklyn, NY, United States	2013-04-17
Cricket Keys	Brooklyn, NY, United States	2013-04-17
NELLY HEREDIA	bklyn, NY, United States	2013-04-17
Beth Baltimore	Brooklyn, NY, United States	2013-04-17
Rosa Perr	BKLYN, NY, United States	2013-04-17
Kahlil Lozoraitis	Brooklyn, NY, United States	2013-04-17
Krit Hutchins	Brooklyn, NY, United States	2013-04-17
RK Dillon	Brooklyn, NY, United States	2013-04-17
Liana Vitale	Brooklyn, NY, United States	2013-04-17
RENEE FLOWERS	BROOKLYN, NY, United States	2013-04-17
Marcia Adams	Brooklyn, NY, United States	2013-04-17
molly block	Champaign, IL, United States	2013-04-17
Beth Frey	Brooklyn, NY, United States	2013-04-17
Katy Reitz	Brooklyn, NY, United States	2013-04-17
Mary Beth Early	Brooklyn, NY, United States	2013-04-17
Joshua Waletzky	Brooklyn, NY, United States	2013-04-17
Renee Herron	Leonardo, NJ, United States	2013-04-17
Greg Tiefenbrun	Brooklyn, NY, United States	2013-04-17
Corey Roberts	Brooklyn, NY, United States	2013-04-17
Tamara Draut	Brooklyn, NY, United States	2013-04-17
Denise Alexander	Brooklyn, NY, United States	2013-04-17
Myriame Mejias	Brooklyn, NY, United States	2013-04-17

Name	Location	Date
Kimberly Neuhaus	Brooklyn, NY, United States	2013-04-17
Mary Bruccoli	Brooklyn, NY, United States	2013-04-17
Jenni Wolfson	Brooklyn, NY, United States	2013-04-17
Alex Ferrigno	Brooklyn, NY, United States	2013-04-17
Shayna Kessler	Brooklyn, NY, United States	2013-04-17
Julia Schwartz	Brooklyn, NY, United States	2013-04-17
abby block	brooklyn, NY, United States	2013-04-17
Jennifer Bilenker	Brooklyn, NY, United States	2013-04-17
Leah Kopperman	New York, NY, United States	2013-04-17
Jenny Schwartz	Brooklyn, NY, United States	2013-04-17
Cynthia Dantzie	Brooklyn, NY, United States	2013-04-17
Julius Elinson	Brooklyn, NY, United States	2013-04-17
Alex Scofi	Allentown , PA, United States	2013-04-17
Nasoan Sheftel-Gomes	Brooklyn, NY, United States	2013-04-17
Sebastián Cucullu	Brooklyn, NY, United States	2013-04-17
Gary Culig	Brooklyn, NY, United States	2013-04-17
Kayla Chisholm	Fanwood, NJ, United States	2013-04-17
Jorge Quinones	brooklyn, NY, United States	2013-04-17
Antoinette Wannebo	Brooklyn, NY, United States	2013-04-17
Hana Feit	Brooklyn, NY, United States	2013-04-17
Sandra DiPillo	Brooklyn, NY, United States	2013-04-17
Sophie Kligler	Brooklyn, NY, United States	2013-04-17
Erin Patterson	Brooklyn, NY, United States	2013-04-17
Mitsuko Verdery	New York, NY, United States	2013-04-17
J Jackson	Brooklyn, NY, United States	2013-04-17
Vanessa Brown	Brooklyn, NY, United States	2013-04-17
Ronald Fliegelman	Brooklyn, NY, United States	2013-04-17
Erin D'Souza	Brooklyn, NY, United States	2013-04-17
christina crespo	Brooklyn, NY, United States	2013-04-17
Sarah Anderson	New York, NY, United States	2013-04-17
Lara Holliday	Brooklyn, NY, United States	2013-04-17
M Singer	New York, NY, United States	2013-04-17

Name	Location	Date
Lisa Hickey	Brooklyn, NY, United States	2013-04-17
Jacqueline Cozzo	Brooklyn, NY, United States	2013-04-17
Michael Gnat	Brooklyn, NY, United States	2013-04-17
McKenna Schneider	New York, NY, United States	2013-04-17
kat johnson	brooklyn, NY, United States	2013-04-17
Howard Kolins	Brooklyn, NY, United States	2013-04-17
steve deseve	brooklyn, NY, United States	2013-04-17
Lisa Baker	Brooklyn, NY, United States	2013-04-17
sheelagh appleby	brooklyn, NY, United States	2013-04-17
Beverly J Kidd	Dayton, OH, United States	2013-04-17
Elizabeth Hallett	Brooklyn, NY, United States	2013-04-17
Ruth Liberman	Brooklyn, NY, United States	2013-04-17
Taryn FitzGerald	Brooklyn, NY, United States	2013-04-17
J Murphy	Brooklyn, NY, United States	2013-04-17
Moira Potter	Brooklyn, NY, United States	2013-04-17
Scott Levy	Brooklyn, NY, United States	2013-04-17
Thomas Witten	Brooklyn, NY, United States	2013-04-17
stacey uria	brooklyn, NY, United States	2013-04-17
Sergio Fanchiotti	Brooklyn NY, NY, United States	2013-04-17
Mona Nicoara	Brooklyn , NY, United States	2013-04-17
alexandra dadourian	brooklyn, NY, United States	2013-04-17
Lily Napach	New York, NY, United States	2013-04-17
Rylan Sylvester	New York, NY, United States	2013-04-17
David Locke	Brooklyn, NY, United States	2013-04-17
ray brannick	new brunswick, NJ, United States	2013-04-17
Cesar Torras	Brooklyn, NY, United States	2013-04-17
Stuart Dryburgh	Brooklyn, NY, United States	2013-04-17
L Rodriguez	Brooklyn, NY, United States	2013-04-17
Meredith Meyers	Brooklyn, NY, United States	2013-04-17
Emily Miller	Brooklyn, NY, United States	2013-04-17
janna turoff	Brooklyn, NY, United States	2013-04-17
Basheba Vazquez	Brooklyn, NY, United States	2013-04-17

Name	Location	Date
nicole gillis	brooklyn, NY, United States	2013-04-17
Magda Cruz	Brooklyn, NY, United States	2013-04-17
Jackie Roebuck	Brooklyn, NY, United States	2013-04-17
Carolyn Pravda	Brooklyn, NY, United States	2013-04-17
Larry Larson	Brooklyn, NY, United States	2013-04-17
Molly Peryer	Brooklyn, NY, United States	2013-04-17
Meghan Wilkins	Brooklyn, NY, United States	2013-04-17
lisa hinshaw	brooklyn, NY, United States	2013-04-17
Matthew Majesky	Brooklyn, NY, United States	2013-04-17
Stu Anderson	Brooklyn, NY, United States	2013-04-18
Christine Harper	Brooklyn, NY, United States	2013-04-18
Jennifer Gilken	Brooklyn, NY, United States	2013-04-18
Carllee James	New York, NY, United States	2013-04-18
Janna Bruner	Brooklyn, NY, United States	2013-04-18
Laura Gahrahmat	Brooklyn, NY, United States	2013-04-18
Rachael Kilian	Brooklyn, NY, United States	2013-04-18
Hannah Abbott	Maplewood, NJ, United States	2013-04-18
Jessica Hochman	New York, NY, United States	2013-04-18
Pascale Denommee	Brooklyn, NY, United States	2013-04-18
Stephanie Cherry	Brooklyn, NY, United States	2013-04-18
David Kalfus	Brooklyn, NY, United States	2013-04-18
Henry Carrier	Brooklyn, NY, United States	2013-04-18
Patricia McDannell	Brooklyn, NY, United States	2013-04-18
Deirdre Dolan	brooklyn, NY, United States	2013-04-18
Melissa Fitzpatrick	Brooklyn, NY, United States	2013-04-18
Kristi Barlow	Brooklyn, NY, United States	2013-04-18
Robyn Mar	Brooklyn, NY, United States	2013-04-18
Eva Garriga	Brooklyn, NY, United States	2013-04-18
Jennifer Masset	Brooklyn, NY, United States	2013-04-18
valerie striar	brooklyn, NY, United States	2013-04-18
Leslie Nuchow	Brooklyn, NY, United States	2013-04-18
Glenn Westrom	Brooklyn, NY, United States	2013-04-18

Name	Location	Date
mike benson	brooklyn, NY, United States	2013-04-18
Amy Huggans	BROOKLYN, NY, United States	2013-04-18
Dara Federman	Brookllyn, NY, United States	2013-04-18
Thomas Lino	Brooklyn, NY, United States	2013-04-18
gilles bransbourg	Brooklyn, NY, United States	2013-04-18
Audrey Negron	Brooklyn, NY, United States	2013-04-18
cynthia medina carson	brooklyn, NY, United States	2013-04-18
JP Cohen	Brooklyn, NY, United States	2013-04-18
Ashley kent	east brunswick, NJ, United States	2013-04-18
Barbara Blechman	brooklyn, NY, United States	2013-04-18
Nora Marrero	Brooklyn, NY, United States	2013-04-18
Chris Grimm	Brooklyn, NY, United States	2013-04-18
Andrew Kessler	Brooklyn, NY, United States	2013-04-18
Charlene Clarke	Brooklyn, NY, United States	2013-04-18
mia Diehl	brooklyn, NY, United States	2013-04-18
Amy Lehr	Brooklyn, NY, United States	2013-04-18
Shawna King	Brooklyn, NY, United States	2013-04-18
Megan Moorhouse	Brooklyn, NY, United States	2013-04-18
Sandrine Humbert	Brooklyn, NY, United States	2013-04-18
C. Colton	New York, NY, United States	2013-04-18
Jondi Whitis	Brooklyn, NY, United States	2013-04-18
abha palmer	brooklyn, NY, United States	2013-04-18
Kate Reynolds	Brooklyn, NY, United States	2013-04-18
Ariel Flavin	Brooklyn, NY, United States	2013-04-18
Sharon Guskin	Brooklyn, NY, United States	2013-04-18
Tonya Thornton	Brooklyn, NY, United States	2013-04-18
Aimee Morton	New York, NY, United States	2013-04-18
Jenn Busch	Alameda, CA, United States	2013-04-18
Rebecca Zellmer	Brooklyn, NY, United States	2013-04-18
Bridget Hatch	Brooklyn, NY, United States	2013-04-18
Cathy Carver	Brooklyn, NY, United States	2013-04-18
Johanna Schmitt	Brooklyn, NY, United States	2013-04-18

Name	Location	Date
Melissa Morgenlander	Brooklyn, NY, United States	2013-04-18
Katherine Thole	Brooklyn, NY, United States	2013-04-18
Liz Atlas	Brooklyn, NY, United States	2013-04-18
Bomee Jung	Brooklyn, NY, United States	2013-04-18
Andrea Kientz	Brooklyn, NY, United States	2013-04-18
Alicia Patrimonio	brooklyn, NY, United States	2013-04-18
Emma Golden	New York, NY, United States	2013-04-18
Carmen Torres	Brooklyn, NY, United States	2013-04-18
Jennifer Teusch	Brooklyn, NY, United States	2013-04-18
Allison Conner	Brooklyn, NY, United States	2013-04-18
Lucy McNair	Brooklyn, NY, United States	2013-04-18
michael phillip	Brooklyn, NY, United States	2013-04-18
Larry Weissman	Brooklyn, NY, United States	2013-04-18
Ian Dutton	Brooklyn, NY, United States	2013-04-18
Alicia Quigley	Brooklyn, NY, United States	2013-04-18
Sara Kravitz	New York, NY, United States	2013-04-18
Sabine Aronowsky	Brooklyn, NY, United States	2013-04-18
beth klein	brooklyn, NY, United States Minor Outlying Islands	2013-04-18
Dorothea Basile	Brooklyn, NY, United States	2013-04-18
tiffany wienckowski	brooklyn, NY, United States	2013-04-18
Trine Rødgaard	Brooklyn, NY, United States	2013-04-18
irina edelstein	brooklyn, NY, United States	2013-04-18
Rachel Gladfelter	Brooklyn, NY, United States	2013-04-18
Kristin Brady	Brooklyn, NY, United States	2013-04-18
Jeanne Messing	Brooklyn, NY, United States	2013-04-18
Richard Pierce	Brooklyn, NY, United States	2013-04-18
Jon Gibs	Brooklyn, NY, United States	2013-04-18
Janice Torres	Brooklyn, NY, United States	2013-04-18
Maria Milin	Brooklyn, NY, United States	2013-04-18
Jane Halsey	New York, NY, United States	2013-04-18
Sara Champagne	Brooklyn, NY, United States	2013-04-18

Name	Location	Date
Rachel Stein	Brooklyn, NY, United States	2013-04-18
Michelle de la Uz	Brooklyn, NY, United States	2013-04-18
Amy Santamaria	Brooklyn, NY, United States	2013-04-18
Christine vonSpreckelsen	Brooklyn, NY, United States	2013-04-18
Ariel Rey	Brooklyn, NY, United States	2013-04-18
Sarah Jefferys	Brooklyn, NY, United States	2013-04-18
Kevin Ryan-Young	Brooklyn, NY, United States	2013-04-18
Jessica Maroz	Brooklyn, NY, United States	2013-04-18
elaine Rodriguez	Brooklyn, NY, United States	2013-04-18
Sheri Stein	Brooklyn, NY, United States	2013-04-18
Max Koltuc	Brooklyn, NY, United States	2013-04-18
Monica Ravinet	New York, NY, United States	2013-04-18
pauline Abd el kader	Brooklyn, NY, United States	2013-04-18
Andrea Ruport	Alameda, CA, United States	2013-04-18
Amy McReynolds	Carbondale, IL, United States	2013-04-18
Marc Finkelstein	Brooklyn, NY, United States	2013-04-18
Anita Bushell	Brooklyn, NY, United States	2013-04-18
Michael Garcia	Houston, TX, United States	2013-04-19
Rick Tonsing	Citrus Heights, CA, United States	2013-04-19
Jayson Haedrich	SUNNYSIDE, NY, United States	2013-04-19
Karen Fuller	Brooklyn, NY, United States	2013-04-19
Richard Haw	Brooklyn, NY, United States	2013-04-19
Hattie Proteau	Brooklyn, NY, United States	2013-04-19
Terri Desai	New York, NY, United States	2013-04-19
liz alessi	brooklyn, NY, United States	2013-04-19
Anita Keire	Brooklyn, NY, United States	2013-04-19
Beth Winson	Brooklyn, NY, United States	2013-04-19
Patricia Braun	Washington, DC, United States	2013-04-19
Limor Gasko	Brooklyn, NY, United States	2013-04-19
Melissa Williams	Brooklyn, NY, United States	2013-04-19
Hani Hong	New York, NY, United States	2013-04-19
Sheryl Victor Levy	Brooklyn, NY, United States	2013-04-19

Name	Location	Date
Karen Zieff	Brooklyn, NY, United States	2013-04-19
Michael Cosaboom	Brooklyn, NY, United States	2013-04-19
Rebecca Odes	new york, NY, United States	2013-04-19
Dierdre Dixon	Brooklyn, NY, United States	2013-04-19
Kathleen Jayes	Brooklyn, NY, United States	2013-04-19
beth reisman	brooklyn, NY, United States	2013-04-19
Nichole McBride	Appleton, WI, United States	2013-04-19
Grace Freedman	Brooklyn, NY, United States	2013-04-19
julius alfonzo	brooklyn, NY, United States	2013-04-20
Roslyn Huebener	Brooklyn, NY, United States	2013-04-20
Liwia Rosamond	Brooklyn, NY, United States	2013-04-20
Edward Dawidowicz	Brooklyn, NY, United States	2013-04-20
Alan Connor	Brooklyn, NY, United States	2013-04-20
Julie Underwood	Brooklyn, NY, United States	2013-04-20
Ger de Seve	troy, NY, United States	2013-04-20
Lisa Bohem	Brooklyn, NY, United States	2013-04-20
Kris Drury	Brooklyn, NY, United States	2013-04-20
Hannah Ratzlaff	Brooklyn, NY, United States	2013-04-20
Noah Barth	Brooklyn, NY, United States	2013-04-20
Beraiah Yisrael	Brooklyn, NY, United States	2013-04-20
Suzanne Burdman	Brooklyn, NY, United States	2013-04-20
Rebecca Potts	Brooklyn, NY, United States	2013-04-20
Zoe Mills	Brooklyn, NY, United States	2013-04-20
Ann Armbruster	Brooklyn, NY, United States	2013-04-20
Christian Fox	Brooklyn, NY, United States	2013-04-20
Mike Antoine	Brooklyn, NY, United States	2013-04-20
Emily Nicolson	Brooklyn, NY, United States	2013-04-20
Juan Soto	Brooklyn, NY, United States	2013-04-20
Elizabeth Amon	Brooklyn, NY, United States	2013-04-20
Glenn De La Cruz	bronx, NY, United States	2013-04-20
Byron Johnson	Brooklyn, NY, United States	2013-04-20
eric hammer	New York, NY, United States	2013-04-20

Name	Location	Date
Renanit Levy	Brooklyn, NY, United States	2013-04-20
rebecca walker	brooklyn, NY, United States	2013-04-20
Albert Wong	Brooklyn, NY, United States	2013-04-20
emoke karonis	Flushing, NY, United States	2013-04-20
Eva Radke	Brooklyn, NY, United States	2013-04-20
Nancy Broadway	Brooklyn, NY, United States	2013-04-20
Therese Ragghianti	Brooklyn, NY, United States	2013-04-20
Barbara Hatfield	Brooklyn, NY, United States	2013-04-20
Joy Newball	JAMAICA, NY, United States	2013-04-20
David Osorio	Brooklyn,	2013-04-20
Andrea Lewandowski	Brooklyn, NY, United States	2013-04-21
Michele Eldon	Brooklyn, NY, United States	2013-04-21
Patrick Greene	Washington, DC, United States	2013-04-21
Daniel Starr	Brooklyn, NY, United States	2013-04-21
Keith Wood	Brooklyn, NY, United States	2013-04-21
Andrea Yost	Brooklyn, NY, United States	2013-04-21
David Lewis-Gever	Brooklyn, NY, United States	2013-04-21
Rachel Jorgensen	Brooklyn , NY, United States	2013-04-21
rich welker	pensylvania, PA, United States	2013-04-21
Paul Sonn	Brooklyn, NY, United States	2013-04-21
Paul Tomaselli	Salinas, CA, United States	2013-04-21
david mcgrath	New York, NY, United States	2013-04-21
Kristen Uhrich	Brooklyn, NY, United States	2013-04-21
Todd Cavallo	Brooklyn, NY, United States	2013-04-21
Wendy Barron	Brooklyn, NY, United States	2013-04-21
David Fung	Brooklyn, NY, United States	2013-04-21
Philip Bender	Brooklyn, NY, United States	2013-04-21
Tiffany R	Brooklyn, NY, United States	2013-04-21
Victor Kaliko	Brooklyn, NY, United States	2013-04-21
Michelle Berrios	Brooklyn, NY, United States	2013-04-21
Kristen Gidlund	Brooklyn, NY, United States	2013-04-21
MALCOLM VARON	Brooklyn, NY, United States	2013-04-21

Name	Location	Date
Asukaya Bailey	Brooklyn, NY, United States	2013-04-21
Bianca Adereth	Brooklyn, NY, United States	2013-04-21
Julie Gaither	Brooklyn, NY, United States	2013-04-21
Daniel Haliloua	Brooklyn, NY, United States	2013-04-22
Taylor Griffin	Brooklyn, NY, United States	2013-04-22
Dan Betz	Maplewood, NJ, United States	2013-04-22
Liz FitzGerald	Brooklyn, NY, United States	2013-04-22
Elizabeth Kahn	Brooklyn, NY, United States	2013-04-22
Mirko Berloso	Brooklyn, NY, United States	2013-04-22
Tameka Wllson	brooklyn, NY, United States	2013-04-22
Ariel Colletti	Brooklyn, NY, United States	2013-04-22
Cara Tuzzolino	Brooklyn, NY, United States	2013-04-22
Grace Moore	Brooklyn , NY, United States	2013-04-22
Jim Brennan	Jersey City, NJ, United States	2013-04-22
McDowell Myers	Brooklyn, NY, United States	2013-04-22
Jennifer Chan	Brooklyn, NY, United States	2013-04-22
Camilla Abder	Brooklyn, NY, United States	2013-04-22
Kate Edmundson	Brooklyn, NY, United States	2013-04-22
Stephen Ryan	Brooklyn, NY, United States	2013-04-22
Kari Smith	Brooklyn, NY, United States	2013-04-22
Jon Vandenburg	Brooklyn, NY, United States	2013-04-22
Rachel Vining	Brooklyn, NY, United States	2013-04-22
Spencer Brill	Brooklyn, NY, United States	2013-04-22
Casey Soloff	Brooklyn, NY, United States	2013-04-22
paul szaro	easton, PA, United States	2013-04-22
Sascha Alper	Brooklyn, NY, United States	2013-04-23
Joann Dang	Brooklyn, NY, United States	2013-04-23
Tanasia Swift	Brooklyn, NY, United States	2013-04-23
Jennifer Gandia	Brooklyn, NY, United States	2013-04-23
Tanya Garment	New York, NY, United States	2013-04-23
Maia Murphy	Brooklyn, NY, United States	2013-04-23
Rick Yule	Brooklyn, NY, United States	2013-04-23

Name	Location	Date
Cynthia Henley	Houston, TX, United States	2013-04-23
Cynthia Simmons	Brooklyn, NY, United States	2013-04-23
barry sloben	piscataway, NJ, United States	2013-04-23
Francine Pado	Brooklyn, NY, United States	2013-04-24
Addie Suchorab	Brooklyn, NY, United States	2013-04-24
Melissa LoPorto	Brooklyn, NY, United States	2013-04-24
Christanna Springs	brooklyn, NY, United States	2013-04-24
Adria Stokes	Brooklyn, NY, United States	2013-04-25
Rebecca Brown	Brooklyn, NY, United States	2013-04-25
Ross Bonadonna	NY, NY, United States	2013-04-25
carolyn weaver	brooklyn, NY, United States	2013-04-25
Dennis Wong	Brooklyn, NY, United States	2013-04-25
Kathryn Maloney	Brooklyn, NY, United States	2013-04-25
allegra kapovich	brooklyn , NY, United States	2013-04-25
Carolyn Cirillo	Brooklyn, NY, United States	2013-04-25
Dwight Burton	Brooklyn, NY, United States	2013-04-25
Margaret Cusack	Brooklyn, NY, United States	2013-04-25
Nina Galletta	Brooklyn, NY, United States	2013-04-25
K Cusack	Brooklyn, NY, United States	2013-04-25
Teddie Vietor	Brooklyn, NY, United States	2013-04-25
lauren healy	brooklyn, NY, United States	2013-04-25
samantha arcade	brooklyn, NY, United States	2013-04-25
Tracy Pitagorsky	Brooklyn, NY, United States	2013-04-25
lovleen cavanagh	brooklyn , NY, United States	2013-04-25
Jennifer DeLeonardo	Brooklyn, NY, United States	2013-04-25
Michael Zuckerman	Brooklyn, NY, United States	2013-04-25
Sarah Ladner Gomez	Brooklyn, NY, United States	2013-04-25
Mary Beth Bray	Brooklyn, NY, United States	2013-04-25
Joan Bottkol	Brooklyn, NY, United States	2013-04-25
Stana Weisburd	Brooklyn, NY, United States	2013-04-25
Nicole Tu	Brooklyn, NY, United States	2013-04-25
Jeannine Cooke	Brooklyn, NY, United States	2013-04-25

Name	Location	Date
Sarah Crichton	brooklyn, NY, United States	2013-04-25
Billie Carney	Brooklyn, NY, United States	2013-04-25
Deborah Polinsky	Brooklyn, NY, United States	2013-04-25
Emily Stubbs	Brooklyn, NY, United States	2013-04-25
Debbie Gray	Brooklyn, NY, United States	2013-04-25
Josephine Fassari	Brooklyn, NY, United States	2013-04-25
Margie Dotter	Brooklyn, NY, United States	2013-04-26
Laura Curran	brooklyn, NY, United States	2013-04-26
Jane Schneider	brooklyn, NY, United States	2013-04-26
Nora Keane	Brooklyn, NY, United States	2013-04-26
maura donnelly	brooklyn, NY, United States	2013-04-26
cornelia cooley	brooklyn, NY, United States	2013-04-26
Kathy McCullagh	Brooklyn, NY, United States	2013-04-26
elizabeth dundon	brooklyn, NY, United States	2013-04-26
family gianquinto	brooklyn, NY, United States	2013-04-26
Sarah Peterson	Brooklyn, NY, United States	2013-04-26
Katrina Motch	Brooklyn, NY, United States	2013-04-26
Ilene Jaroslaw	Brooklyn, NY, United States	2013-04-26
Amy Freeman	Brooklyn, NY, United States	2013-04-26
Emma Alabaster	Brooklyn, NY, United States	2013-04-26
Nina Shiffman	Brooklyn , NY, United States	2013-04-26
Trudy Katzer	Brooklyn, NY, United States	2013-04-26
Megan Devir	Brooklyn, NY, United States	2013-04-26
Jessica Taraski	brooklyn, NY, United States	2013-04-26
Kirsten Marino	Brooklyn, NY, United States	2013-04-26
Daniele D'Amico	Brooklyn, NY, United States	2013-04-26
Lisa Grocottl	Brooklyn, NY, United States	2013-04-26
Lori Sommerville	New York, NY, United States	2013-04-26
Zachary Katznelson	New York, NY, United States	2013-04-26
Keren Ludwig	New York, NY, United States	2013-04-26
Jodi Schwartz	Brooklyn, NY, United States	2013-04-26
Meg Switzgable	Brooklyn, NY, United States	2013-04-26

Name	Location	Date
Jennifer Chin	Brooklyn, NY, United States	2013-04-26
Terry Baum	Brooklyn, NY, United States	2013-04-26
elliott puckette	brooklyn, NY, United States	2013-04-26
Rica Linders	Brooklyn, NY, United States	2013-04-26
ed lavelle	brooklyn, NY, United States	2013-04-26
emily berleth	brooklyn, NY, United States	2013-04-26
Nancy Schuh	Brooklyn, NY, United States	2013-04-26
Nora Dankner	Brooklyn, NY, United States	2013-04-26
Dwight Weeks	New York, NY, United States	2013-04-26
Gary Dovey	Brooklyn, NY, United States	2013-04-26
Nicole Barriale Wong	Brooklyn, NY, United States	2013-04-26
Sarah Ferguson	Brooklyn, NY, United States	2013-04-26
Deborah Blanchard	Brooklyn, NY, United States	2013-04-26
Karima Elbaz	Brooklyn, NY, United States	2013-04-26
Erica Brody	Brooklyn, NY, United States	2013-04-26
david nemzer	brooklyn, NY, United States	2013-04-26
Jen Stocksmith	Brooklyn, NY, United States	2013-04-26
STEVEN HART	BROOKLYN , NY, United States	2013-04-26
Claude Platton	Brooklyn, NY, United States	2013-04-26
Irina Tremitiere	Brooklyn, NY, United States	2013-04-26
Chris Stocksmith	New York, NY, United States	2013-04-26
Isaac Wayton	Brooklyn, NY, United States	2013-04-26
Malaika Danovitz	Brooklyn, NY, United States	2013-04-26
E Shigaki	Brooklyn, NY, United States	2013-04-26
Amy Greer	Brooklyn, NY, United States	2013-04-26
Mark Tremitiere	Brooklyn, NY, United States	2013-04-26
Jessica Krueckeberg	Brooklyn, NY, United States	2013-04-26
Ellen Sacks	Brooklyn, NY, United States	2013-04-26
Juliet Terzian	Brooklyn, NY, United States	2013-04-27
Irene Ryjova	Brooklyn, NY, United States	2013-04-27
Traci Kaye	Brooklyn, NY, United States	2013-04-27
Tammy Kreiter	Brooklyn, NY, United States	2013-04-27

Name	Location	Date
Diana Gliedman	Brooklyn, NY, United States	2013-04-27
Rhonda Keyser	brooklyn, NY, United States	2013-04-27
jackie johnson	brooklyn, NY, United States	2013-04-27
Sam Lazar	Brooklyn, NY, United States	2013-04-27
Mary Brosnan	Brooklyn, NY, United States	2013-04-27
todd weeks	brooklyn, NY, United States	2013-04-27
Zhenia Stadnik	Brooklyn, NY, United States	2013-04-27
Sarah Jenkins	Brooklyn, NY, United States	2013-04-27
Simona Rubin	Brooklyn, NY, United States	2013-04-27
Glynis Rigsby	Brooklyn, NY, United States	2013-04-27
Schweitzer Marina	Brooklyn, NY, United States	2013-04-27
Michelle Kupper	Brooklyn, NY, United States	2013-04-27
Robert Hickman	Richmond, VA, United States	2013-04-27
Cristina Estadella	Brooklyn, NY, United States	2013-04-27
kamila otcasek	Brooklyn, NY, United States	2013-04-27
Lena Beug	Brooklyn, NY, United States	2013-04-28
EMMET MALMSTROM	BROOKLYN, NY, United States	2013-04-28
Sandy Lazar	Brooklyn, NY, United States	2013-04-28
Nicole Hayes	Ghent, NY, United States	2013-04-28
melissa dadourian	brooklyn, NY, United States	2013-04-28
Gillian Simmons	Brooklyn, NY, United States	2013-04-28
Ana Esterov	New York, NY, United States	2013-04-28
D. Singer	Oakland, CA, United States	2013-04-28
Ninja von Oertzen	Brooklyn, NY, United States	2013-04-28
Carol Cohen	Brooklyn, NY, United States	2013-04-28
Dmitry Letunovsky	Drezna, Russian Federation	2013-04-28
Catherine Hui	Brooklyn, NY, United States	2013-04-28
Brett Vapnek	Brooklyn, NY, United States	2013-04-28
nicole brier	brooklyn, NY, United States	2013-04-29
Marie Watt	Brooklyn, NY, United States	2013-04-29
Karen Oh	Brooklyn, NY, United States	2013-04-29
Janet Fraidstern	Brooklyn, NY, United States	2013-04-29

Name	Location	Date
mandy lyons	brooklyn, NY, United States	2013-04-29
Lynette Bertrand	New York, NY, United States	2013-04-29
meredith zapin	brooklyn, NY, United States	2013-04-29
Dagmar Cecic	Brooklyn, NY, United States	2013-04-29
Catharine Giancatarino	Brooklyn, NY, United States	2013-04-29
Anna Ammari	Brooklyn, NY, United States	2013-04-29
Alexandra Atkins	Brooklyn, NY, United States	2013-04-29
Carmen Hammons	brooklyn, NY, United States	2013-04-29
Meema Spadola	Brooklyn, NY, United States	2013-04-29
elizabeth schacher	brooklyn, NY, United States	2013-04-29
Elaine Camin	Brooklyn, NY, United States	2013-04-29
Jessica Cary	Brooklyn, NY, United States	2013-04-29
Bob Bland	Brooklyn, NY, United States	2013-04-29
Kristin Reale	Brooklyn, NY, United States	2013-04-29
Meredith Davis	Brooklyn, NY, United States	2013-04-29
Ute Zimmermann	Brooklyn, NY, United States	2013-04-29
Marjory Rice	Brooklyn, NY, United States	2013-04-29
Rachel Weinberger	Brooklyn, NY, United States	2013-04-29
Laura Redman	Brooklyn, NY, United States	2013-04-29
Havona Madama	Brooklyn, NY, United States	2013-04-29
Lisa Campbell	Brooklyn, NY, United States	2013-04-30
Steve Benesh	Brooklyn, NY, United States	2013-04-30
Jennifer Gunnell	Brooklyn, NY, United States	2013-04-30
jill bloch	brooklyn, NY, United States	2013-04-30
Emily Cowan	Brooklyn, NY, United States	2013-04-30
Brad Farwell	Brooklyn , NY, United States	2013-04-30
Carol Pousson	Alexandria, LA, United States	2013-04-30
Jennifer Convissor	Brooklyn, NY, United States	2013-04-30
Sindia Fernandez	Brooklyn, NY, United States	2013-04-30
Lindsay Anderson	Brooklyn, NY, United States	2013-04-30
Susan Parla	Brooklyn, NY, United States	2013-04-30
Vanessa Aja-Sigmon	Brooklyn, NY, United States	2013-04-30

Name	Location	Date
Deborah Grimshaw	Brooklyn, NY, United States	2013-04-30
michelle dale	Brooklyn, NY, United States	2013-05-01
Emily Johnson	Brooklyn, NY, United States	2013-05-01
Lionel Arboleda	Elmhurst, Canada	2013-05-01
kay martin	tamassee, SC, United States	2013-05-01
Robin Rosenthal	Brooklyn, NY, United States	2013-05-01
evonne cho	Brooklyn, NY, United States	2013-05-02
Yuko Inagaki	Brooklyn, NY, United States	2013-05-02
Paul Wheatley	Brooklyn, NY, United States	2013-05-02
Matthew Christensen	Brooklyn , NY, United States	2013-05-02
Steve Neiman	Brooklyn, NY, United States	2013-05-04
Ellen Spilka	Brooklyn, NY, United States	2013-05-04
Rachel Bazelais	Brooklyn, NY, United States	2013-05-05
Alicia Batt	Minneapolis, MN, United States	2013-05-05
Claire Adams	Brooklyn, NY, United States	2013-05-06
SUSAN HAHN	BROOKLYN, NY, United States	2013-05-07
Phillip Hope	Brooklyn, NY, United States	2013-05-07
Erin Brent	Brooklyn, NY, United States	2013-05-07
k karmen	brooklyn, NY, United States	2013-05-10
Maryanne Fishman	Brooklyn, NY, United States	2013-05-10
arielle meier	Brooklyn, NY, United States	2013-05-11
Erin Hopkins	Brooklyn, NY, United States	2013-05-11
Nancy Baldwin	Brooklyn, NY, United States	2013-05-11
teresa kahres	brooklyn, NY, United States	2013-05-11
Catherine Lindeman	Brooklyn, NY, United States	2013-05-11
Marleen Reimer	Brooklyn, NY, United States	2013-05-12
Victor Verbeek	Brooklyn, NY, United States	2013-05-12
Peter Simon	BROOKLYN, NY, United States	2013-05-13
Jesse Hendrich	Brooklyn, NY, United States	2013-05-13
Virginie Ladisch	Brooklyn, NY, United States	2013-05-13
Suzanne Lipkin	Brooklyn, NY, United States	2013-05-13
Caitlin Will	Poughkeepsie, NY, United States	2013-05-14

Name	Location	Date
Alex Porter	Brooklyn, NY, United States	2013-05-20
James Forrester	Brooklyn, NY, United States	2013-05-20
Alice Wong	Brooklyn, NY, United States	2013-05-20
Lisa Goldschlag	Brooklyn, NY, United States	2013-05-20
denise shaffer-berne	brooklyn, NY, United States	2013-05-20
Carey Johnson	Brooklyn, NY, United States	2013-05-20
Kyle Boyd	Brooklyn, NY, United States	2013-05-21
Michael DuBick	Brooklyn, NY, United States	2013-05-21
Claudine Meredith-Goujon	Brooklyn, NY, United States	2013-05-21
Timothy Walther	Brooklyn, NY, United States	2013-05-21
Michelle French	BROOKLYN, NY, United States	2013-05-21
Carolyn Hughes	Brooklyn, NY, United States	2013-05-21
Andrea Balinson	Brooklyn, NY, United States	2013-05-24
sarah wikenczy	New York, United States	2013-05-26
Tracey Berg	Brooklyn, NY, United States	2013-06-02
Katie Husband	Fareham, DC, United States	2013-06-18
D Baum	Ottawa, IL, United States	2013-06-21
Courtney Higham	Brooklyn, NY, United States	2013-06-22
Mark Phelan	Brooklyn, NY, United States	2013-06-24
elizabeth king	brooklyn, NY, United States	2013-06-25
Michelle Murphy	Brooklyn, NY, United States	2013-06-27
Michael Cantone	Brooklyn, NY, United States	2013-06-27
Adam Weber	Hood River, OR, United States	2013-06-28
Ana Gallo	Brooklyn, NY, United States	2013-06-28
Marian Trupiano	Brooklyn, NY, United States	2013-06-29
Tony Vazquez	Brooklyn, NY, United States	2013-06-29
David Huston	Brooklyn, NY, United States	2013-06-29
Pierce Allen	Brooklyn, NY, United States	2013-06-29
Camden McDaris Black	Brooklyn, NY, NY, United States	2013-06-29
Karen Gerwin	Brooklyn, NY, United States	2013-06-29
Jessica Mabli	Brooklyn, NY, United States	2013-06-30
Jennifer Bienstock	Brooklyn, NY, United States	2013-06-30

Name	Location	Date
Jaime Costas	Brooklyn, NY, United States	2013-06-30
Sherilyn Saporito	Brooklyn, NY, United States	2013-06-30
damien vandercruyssen	Brooklyn, NY, United States	2013-06-30
Marilia Destot	Brooklyn, NY, United States	2013-06-30
Kristen Lepore	Brooklyn, NY, United States	2013-06-30
Tatiana Cantwell	Brooklyn, NY, United States	2013-06-30
Keira Marcus	Brooklyn, NY, United States	2013-06-30
Martha Lee	Brooklyn, NY, United States	2013-06-30
Lindsay Donnellon	Brooklyn, NY, United States	2013-06-30
steven abel	brooklyn, NY, United States	2013-06-30
Arthur Luk	Brooklyn, NY, United States	2013-07-01
Christeen Anderson	Crestview, FL, United States	2013-07-01
Angelika Roll	Germany	2013-07-01
Carol Hupp	Jacksonville, FL, United States	2013-07-01
Frances Darcy	Sligo, , Ireland	2013-07-01
Emma Spurgin Hussey	Truro, , United Kingdom	2013-07-01
Donna Hamilton	Great Yarmouth, , United Kingdom	2013-07-01
Sarah-Jane McColl	Brooklyn, NY, United States	2013-07-01
Rachel Jaffe	Brooklyn, NY, United States	2013-07-01
lydia santiago	jackson, NJ, United States	2013-07-01
ajla cibra	Sarajevo, , Bosnia and Herzegovina	2013-07-01
cate kim	brooklyn, NY, United States	2013-07-01
Nicole Weber	Pasadena, MD, United States	2013-07-01
TOM MURPHY	Brooklyn, NY, United States	2013-07-01
Larry Linsey	Brooklyn, NY, United States	2013-07-01
Belinda Blum	Brooklyn, NY, United States	2013-07-01
Michael Hartman	Brooklyn, NY, United States	2013-07-01
Kellie Smith	Deering, NH, United States	2013-07-01
Conchita Funcia	Brooklyn, NY, United States	2013-07-02
Toni Adisano	Brooklyn, NY, United States	2013-07-02
Maggie Furlong	brooklyn, NY, United States	2013-07-02
Denise Stone	Brooklyn, NY, United States	2013-07-02

Name	Location	Date
Juliet Moretti	Brooklyn, NY, United States	2013-07-02
Diana Gliedman	Brooklyn , NY, United States	2013-07-02
John Richard Young	East Norriton Township, Norristown, Montgomery Co., PA, United States	2013-07-02
Maureen Swetow	Brooklyn, NY, United States	2013-07-03
Kara Napoli	Brooklyn, NY, United States	2013-07-03
Lisa Napoli	Brooklyn, NY, United States	2013-07-04
Elizabeth Lahart	Brooklyn, NY, United States	2013-07-04
George Rodriguez	Brooklyn, NY, United States	2013-07-05
Jennie Rodriguez	Brooklyn, NY, United States	2013-07-06
Kym Detrick	Leesburg, VA, United States	2013-07-08
Benjamin Lee	Manchester, CT, United States	2013-07-08
Yvonne Fast	Aalborg, , Denmark	2013-07-18
Pam Boland	Grovetown, GA, United States	2013-08-02
Kristina Tramel	San Diego, CA, United States	2013-08-22
Pat Conway	Brooklyn, NY, United States	2013-08-26
Juliette Fibsein	Booklyn, NY, United States	2013-10-01
Kristen Reed	Brooklyn, NY, United States	2013-10-01
erica simon	brooklyn, NY, United States	2013-10-01
Julia Solheim	New York, NY, United States	2013-10-01
Mr. Dana Weintraub	Beaverton, OR, United States	2014-01-01
Susan Rubenstein	Brooklyn, NY, United States	2014-10-03
Johanna Neufeld	Brooklyn, NY, United States	2014-10-03
CATHERINE MARCIANO	BROOKLYN, NY, United States	2014-10-03
Zuleika Ladha	Brooklyn, NY, United States	2014-10-04
Noma Price	Brooklyn, NY, United States	2014-10-04
Richard Weisfeld	Brooklyn, NY, United States	2014-10-04
Justin Israelson	Brooklyn, NY, United States	2014-10-04
Joshua Stylman	Brooklyn, NY, United States	2014-10-04
Samuel White	brooklyn, NY, United States	2014-10-04
Havilah Clarke	United States	2014-10-04
mark koppel	NEW YORK, NY, United States	2014-10-05

Name	Location	Date
Saskia Scheffer	brooklyn, NY, United States	2014-10-05
Elizabeth Appel	Lake Peekskill, NY, United States	2014-10-05
Erik Attaway	New Lenox, IL, United States	2014-10-06
Ethan Parish	Brooklyn, NY, United States	2014-10-06
Sue Wolfe	Brooklyn, NY, United States	2014-10-06
James Crow	Brooklyn, NY, United States	2014-10-06
Brendan Flynn	Brooklyn, NY, United States	2014-10-06
Steven Gerber	Brooklyn, NY, United States	2014-10-06
Jennifer Kliegel	Brooklyn, NY, United States	2014-10-06
Alexandra Dadourian	Brooklyn, NY, United States	2014-10-07
michelle sauer	brooklyn, NY, United States	2014-10-07
Kirby Kim	Brooklyn, NY, United States	2014-10-07
Aline Asofsky	Brooklyn, NY, United States	2014-10-07
Jenna Shapiro	Brooklyn, NY, United States	2014-10-07
Ave Carrillo	Brooklyn, NY, United States	2014-10-08
Marilyn Oliva	Brooklyn, NY, United States	2014-10-08
Rebecca Horne	Brooklyn, NY, United States	2014-10-08
Karen Rush	Brooklyn, NY, United States	2014-10-08
Gina Vasquez	Brooklyn, NY, United States	2014-10-08
Patrick Mackin	Brooklyn, NY, United States	2014-10-08
Janet Mackin	Brooklyn, NY, United States	2014-10-08
M. Janice Cardona	Brooklyn, NY, United States	2014-10-08
Paul Zinman	Brooklyn, NY, United States	2014-10-09
Marian Meyer	Brooklyn,, NY, United States	2014-10-09
Louis Siegel	Brooklyn, NY, United States	2014-10-09
Mary-Powel Thomas	Brooklyn, NY, United States	2014-10-09
Sophie Bell	Brooklyn, NY, United States	2014-10-09
debra smock	Brooklyn, NY, United States	2014-10-09
Shawn Lewis	Brooklyn, NY, United States	2014-10-09
Nathanael Horne	Long Island City, NY, United States	2014-10-09
suzette forte	brooklyn, NY, United States	2014-10-09
Pam Hutto	Brooklyn, NY, United States	2014-10-09

Name	Location	Date
Gib Veconi	Brooklyn, NY, United States	2014-10-09
Regina Caulfield	Brooklyn, NY, United States	2014-10-09
David Thomas	Brooklyn, NY, United States	2014-10-10
Luke Mackin	Brooklyn, NY, United States	2014-10-10
gaye jones	brooklyn, NY, United States	2014-10-11
Jay Tanner	Brooklyn, NY, United States	2014-10-12
cris pop	brooklyn, NY, United States	2014-10-21
Leah Kosman	Brooklyn, NY, United States	2014-10-21
Steven Shooman	Brooklyn, NY, United States	2014-10-21
Kyle Boyd	Brooklyn, NY, United States	2014-10-21
Karen Wolfe	Brooklyn, NY, United States	2014-10-21
Edward Blake	Brooklyn, NY, United States	2014-10-21
Joel Greenwald	Brooklyn, NY, United States	2014-10-21
Alexandra Friend	Brooklyn, NY, United States	2014-10-21
Elizabeth Yoder	Arlington, VA, United States	2014-10-21
Jimmy Taber	New York, NY, United States	2014-10-22
Rae Jacobson	BROOKLYN, NY, United States	2014-10-22
Cathleen schine	New York, NY, United States	2014-10-22
Mia Simring	New York, NY, United States	2014-10-22
Jamie Newmqn	Brooklyn, NY, United States	2014-10-22
Carol Cardozo	Austin, TX, United States	2014-10-22
Marianne Kaliszewski	Bay city, MI, United States	2014-10-22
Casey Schnaible	Medford, OR, United States	2014-10-22
James Christian	Los Angeles, CA, United States	2014-10-22
Michael Hewitt	Moffat, CO, United States	2014-10-22
Louise Zimmerman	East Berlin, PA, United States	2014-10-22
Eric Iverson	Stevens Point, WI, United States	2014-10-22
Ruben Varela	Sheldon, IL, United States	2014-10-22
Ken Gracia Jr	Swansea, MA, United States	2014-10-22
Helen Greer	Tucson, AZ, United States	2014-10-22
Stephen Bellomo	Rochester, NY, United States	2014-10-22
Emily Boliver	Laurel, MS, United States	2014-10-22

Name	Location	Date
david j rivera	west covina, CA, United States	2014-10-22
James Gallagher	asheville, NC, United States	2014-10-22
Mark Maxey	Manitou Springs, CO, United States	2014-10-22
Claire Curtis	S Berwick, ME, United States	2014-10-22
Elizabeth Richardson	Austin, TX, United States	2014-10-22
Amy Nicholson	Brooklyn, NY, United States	2014-10-22
Richard Patrock	Kingsville, TX, United States	2014-10-22
Angela Hernandez	Wilder, VT, United States	2014-10-22
Ann Rupel	New York, NY, United States	2014-10-22
sarah Bonner O'Neill	Brunswick, GA, United States	2014-10-22
David Ameijeiras	New York, NY, United States	2014-10-22
Oliver Dungey	Brooklyn, NY, United States	2014-10-22
Oliver Jones	New York, NY, United States	2014-10-22
Aaron Levy	Brooklyn, NY, United States	2014-10-22
Pam Berger	Brooklyn, NY, United States	2014-10-22
Elizabeth Beer	Brooklyn, NY, United States	2014-10-22
Brian Janusiak	Brooklyn, NY, United States	2014-10-22
Carol Overby	New York, NY, United States	2014-10-22
Jonathan Blyer	Brooklyn, NY, United States	2014-10-22
Sandra Pezzulli	New York, NY, United States	2014-10-22
Erik Reitinger	Brooklyn, NY, United States	2014-10-22
Sarah Wenk	Brooklyn, NY, United States	2014-10-22
Shelly Blake	Brooklyn, NY, United States	2014-10-23
brad bridgers	brooklyn, NY, United States	2014-10-23
John Ife	Brooklyn, NY, United States	2014-10-23
Eleanor Preiss	Brooklyn, NY, United States	2014-10-23
Jeannine Bardo	Brooklyn, NY, United States	2014-10-23
Ben Rice	Brooklyn, NY, United States	2014-10-23
Carole Rubenstein	Brooklyn, NY, United States	2014-10-23
Susan Shapiro	Brooklyn, NY, United States	2014-10-23
Alice Kaltman	Brooklyn, NY, United States	2014-10-23
David Rodriguez	Brooklyn, NY, United States	2014-10-23

Name	Location	Date
Marian Pressberg	Brooklyn, NY, United States	2014-10-23
Iliana Emilia Garcia	Brooklyn, NY, United States	2014-10-23
Dwight Kinsey	Brooklyn, NY, United States	2014-10-23
Jennifer Melby	Brooklyn, NY, United States	2014-10-23
Craig Seligman	Brooklyn, NY, United States	2014-10-23
Greg Close	Brooklyn, NY, United States	2014-10-23
BJ Fredricks	Brooklyn, NY, United States	2014-10-23
Naomi Rosen	Brooklyn, NY, United States	2014-10-23
Elizabeth Lynch	Fairfax, VA, United States	2014-10-23
Gaia DiLoreto	Brooklyn, NY, United States	2014-10-23
David Jacobson	Brooklyn, NY, United States	2014-10-23
Claudine Zamor	Brooklyn, NY, United States	2014-10-23
jonathan schnapp	brooklyn, NY, United States	2014-10-23
nadine berger	brooklyn, NY, United States	2014-10-23
Stephen Radacinski	Brooklyn, NY, United States	2014-10-23
Tammy Baxter	Brooklyn, NY, United States	2014-10-23
Karen Zebulon	Brooklyn, NY, United States	2014-10-23
Jo Anne Simon	Brooklyn, NY, United States	2014-10-23
Robert Dehler	Brooklyn, NY, United States	2014-10-23
danielle wolffe	brooklyn, NY, United States	2014-10-23
Mike Crowley	Brooklyn, NY, United States	2014-10-23
bryan mechutan	nyc, NY, United States	2014-10-23
Norman Kopit	Brooklyn, NY, United States	2014-10-23
Brooke Toomey	Brooklyn, NY, United States	2014-10-23
Darlene Samuels	Brooklyn, NY, United States	2014-10-23
dwight smith	brooklyn, NY, United States	2014-10-23
Patricia Laligant	Brooklyn, NY, United States	2014-10-23
John Baumann	Brooklyn, NY, United States	2014-10-23
Elisa Jacques	Brooklyn, NY, United States	2014-10-24
Debora Jacques	Brooklyn, NY, United States	2014-10-24
Sarah Garraoui	Brooklyn, NY, United States	2014-10-24
Julie Twitmyer	Brooklyn, NY, United States	2014-10-24

Name	Location	Date
Jessica Tolliver	Brooklyn, NY, United States	2014-10-24
Irene Van Slyke	Brooklyn, NY, United States	2014-10-24
Jonathan Chang	Brooklyn, NY, United States	2014-10-24
Philip Antoniadis	Brooklyn, NY, United States	2014-10-24
nancy feinberg	new york, NY, United States	2014-10-24
Eric Voss	Brooklyn, NY, United States	2014-10-24
Charlene Nimmons	Brooklyn, NY, United States	2014-10-24
Jeniece Drake	Brooklyn, NY, United States	2014-10-24
Octavia bell	Brooklyn, NY, United States	2014-10-24
Yvonne Girela	Brooklyn, NY, United States	2014-10-24
annette apitz	brooklyn, NY, United States	2014-10-24
Christopher Galloway	Ridgewood, NY, United States	2014-10-24
Henry torres	Brooklyn, NY, United States	2014-10-24
Tracey Berg	Brooklyn, NY, United States	2014-10-25
Robert Tumbelston	Brooklyn, NY, United States	2014-10-25
Nicole Kent	Brooklyn, NY, United States	2014-10-25
Matthew Randak	Brooklyn, NY, United States	2014-10-27
Douglas Barnes	Brooklyn, NY, United States	2014-10-27
Lissa Wolfe	Brooklyn, NY, United States	2014-10-27
Daughtry Carstarphen	BROOKLYN, NY, United States	2014-10-27
Jason Talis	Brooklyn, NY, United States	2014-10-28
Matthew Heering	Brooklyn, NY, United States	2014-10-28
Matt Mulholland	Brooklyn, NY, United States	2014-10-28
Susan Laughter	Brooklyn, NY, United States	2014-10-28
Liz Opoka	Brooklyn, NY, United States	2014-10-29
Camille Cruz	Brooklyn, NY, United States	2014-10-29
Colleen Meagher	Brooklyn, NY, United States	2014-10-29
Sarah Hughes	Brooklyn, NY, United States	2014-10-29
Jay Reingold	Brooklyn, NY, United States	2014-10-30
Heather Campbell	Brooklyn, NY, United States	2014-10-30
Eva Rogals Weiss	Brooklyn, NY, United States	2014-11-01
henry sbrocco	brooklyn, NY, United States	2014-11-04

Name	Location	Date
Rachel Nichols	Wimauma, FL, United States	2014-11-10
Mark Weiss	Brooklyn, NY, United States	2014-11-17
Tyler Tracey	Zanesville, OH, United States	2014-11-21
Erwin valencia	Brooklyn, NY, United States	2014-12-05
Tiana Lino	Brooklyn, NY, United States	2014-12-17
Ryan Burgess	Glen Ellyn, IL, United States	2015-01-22
Dennis Kaplan	Mayfield Heights, OH, United States	2015-01-23
Robert Greer	New York, NY, United States	2015-01-28
Sean Littlefair	Middle River, MD, United States	2015-02-16
michael eich	elizabeth, NJ, United States	2015-03-11
Gianmarco Savio	Brooklyn, NY, United States	2015-03-23
Caleb Laieski	Alexandria, VA, United States	2015-05-05
Vicky Ernst	Clearwater, MN, United States	2015-06-05
Allan Erskine	Brooklyn, NY, United States	2015-07-06
Darnell Preston	Brooklyn, NY, United States	2015-09-16

Friends of Thomas Greene Park, Gowanus, Brooklyn

Recipient: Judith A. Enck

Letter: Greetings,

While we, the undersigned, support a comprehensive Superfund cleanup of the Gowanus Canal that includes addressing raw sewage overflows, we also insist that Superfund follow its own principles and make the polluters pay, not our community!

For this reason, we strongly oppose the EPA's proposed placement of a raw sewage holding tank to be built at the Douglass and Degraw (Double D) community pool and Thomas Greene Park site in Gowanus, Brooklyn and request that the alternative location identified for the proposed raw sewage retention tank be selected.

With over \$500M being spent on this EPA Superfund cleanup alone, this cleanup must be an investment in our community, and not THEFT of public parkland. The Superfund cleanup is extracting large amounts of money from Potentially Responsible Parties (PRP's), and it was revealed at a recent DEP meeting that \$50 million was spent on consultants as part of the retention tank siting selection process – this sum alone could have funded the estimated cost to replace the Double D pool. Federal, state and city agencies must effectively coordinate to protect public resources and minimize impact to the local community in the Superfund cleanup of the Gowanus Canal so that capturing raw sewage before it enters the Gowanus Canal does not mean a raw deal for the tens of thousands of families who have come to depend on the Thomas Greene Park and Double D Pool for crucial park and recreation space.

As such, we ask for guarantees to our community that any displacement or disruption to the Thomas Greene Park and Double D Pool deemed necessary as a result of the EPA, and forthcoming DEC Superfund cleanup, be met with enforceable measures to provide for the funding and seamless transition of the park facilities (pool, playground, skatepark, basketball courts) and services (the School Food Lunch, Learn to Swim, cooling centers, etc.) at a nearby temporary location. Furthermore, full restoration and permanent replacement of all the community services and park amenities must be accounted for.

Comments

Name	Location	Date	Comment
Cathleen Bell	Brooklyn, NY	2013-04-09	We use this pool every summer, nearly every day. In a neighborhood challenged for amenities this is a HUGE bonus.
Richard Kahn	Brooklyn, NY	2013-04-09	This pool is a summer refuge for not only our kids, but for dozens or more kids from the neighboring low-income housing developments.
claudia gwardyak	Bloomfield, CT	2013-04-09	my grandchildren and I enjoy the pool every summer! Please do not transform it into sewage treatment - surely there is another place for that...
Lauri Schindler	Brooklyn, NY	2013-04-09	This is a really important community facility, providing healthy "summer in the city" activities for the residents of the nearby public housing and community at large. The pool is clean, safe, and well managed, and is a place where we all come together in a neighborhood starved for public space. Please keep looking for a more suitable location for the sewerage storage facility.
David Kraus	Brooklyn, NY	2013-04-09	Dear Sir(s) and Madame(s): The community pool is all we have to bring us all together. Without it, we have nothing but a dirty sidewalk and the corner store, nowhere for my wife and daughters to interact with our close neighbors, from different worlds, but with a lot in common. Without it, Brooklyn is dead to all of us. Seriously. Please do not hesitate to call me with any concerns or follow-up questions. I am confident we can find a suitable alternative for the water processing plant. Sincerely, David Kraus 917-301-0443
Catherine O'Malley	Brooklyn, NY	2013-04-10	The pool is an invaluable part of this community. It brings the neighborhood together in a joyful, happy way--it is essential that it remain open.
Rose Latino	Brooklyn, NY	2013-04-10	Our family visits this pool at least 2x weekly!
Atea Martin	Brooklyn, NY	2013-04-10	We need this pool in our community.
Andrea Cherrington	Brooklyn, NY	2013-04-10	We started the Facebook group! This is our neighborhood pool, and we'll fight to keep it open.
Sarah Fader	Brooklyn, NY	2013-04-10	I love this pool. My kids love to swim it in every summer.
Marcia Friedland	Brooklyn, NY	2013-04-10	The pool is an important community resource.
Colleen Cruz	Brooklyn, NY	2013-04-10	It's an amazing community resource that allows for people from various walks of life to come together socially. Very few places like this exist in NYC anymore. Let's not destroy this one.
Susie Farrell	Brooklyn, NY	2013-04-10	When my children were young this was a welcome place to visit on hot summer days. I know many young families that use the pool regularly during the summer.
Maaike Bouwmeester	Brooklyn, NY	2013-04-10	My kids love this pool... it's been an incredibly important resource to connect communities with very different economic resources in this area.
gregg mitchell	brooklyn, NY	2013-04-10	i love swimming there with my child
Birgitta Rubin	Brooklyn, NY	2013-04-10	This is a fantastic neighborhood pool, teeming with children (and adults) in the summer -- a little oasis in which to cool off in, learn to swim and just have fun. What a tremendous loss if it were to close. There are no nearby pools, and to have to haul to Red Hook is not an option for most people without a car. I truly hope a closure can be prevented.

Name	Location	Date	Comment
Anne Sherman	Brooklyn, NY	2013-04-10	This is a valued community resource that improves the quality of life for local residents.
Ariane Schaeffer	New York, NY	2013-04-10	There are better locations for a raw sewage tank and pools are hard to come by in the city. Why take something away from a community when it does good like providing meals and swimming lessons. Far too many kids in the summer will open fire hydrants instead sent them to the pool to learn how to swim. NYC stop destroying communities.
Amanda Agudelo	Brooklyn, NY	2013-04-10	Help support a community
Michael DiSanto	Brooklyn, NY	2013-04-10	I'm a member of the nearby Brooklyn Boulders gym and during the summer always see tons of children and families enjoying the pool. It seems like a crime or tragedy to replace it with a sewage facility. There has to be another way.
Evan Shapiro	Brooklyn, NY	2013-04-10	Not enough community pools in NY and this is a really nice one. We use it often. Dont shut it down!
Patrick Phillips	Brooklyn, NY	2013-04-10	My kids have grown up going to this pool and we love it! Don't do this.
Jesse Groom	Brooklyn, NY	2013-04-10	Ive grown up using this pool, and if its going to be closed down 5 more need to be built. but we all know that isnt going to happen. There are already not enough ways for our communities to cool off while still being outside in that crazy nyc summer heat.
theresa jehamy	brooklyn, NY	2013-04-10	I have seen this community change for the better in the last 10 years. My children and i feel safe hear and enjoy spending several hours a week here. One of the only fun summer activity that we can do for free!!!!
Nancey Jo Tolliver	Catlett, VA	2013-04-11	This is my grandchildren's neighborhood pool. I went there with them and was blown away. It is well done and should be preserved.
Charlene Nimmons	Brooklyn, NY	2013-04-11	I don't want EPA to select Thomas Greene Park Pool as the location to install a waste tank. There are other viable sites to use that will not interfere with the summer breakfast and lunch program for our neighboring children and the only local cooling site for our local families.
Seth Harris	Brooklyn, NY	2013-04-11	What is the point in saving Gowanus if you have to destroy its best park in the process?
Tamara Greenfield	Brooklyn, NY	2013-04-11	Why take away one of the few amenities for the people who live nearby?!
Eileen Lynch	Brooklyn, NY	2013-04-11	I use this pool all summer with my family.
Marisa Schwartz	Brooklyn, NY	2013-04-11	My sons learn to swim here - water safety saves lives.
Tamar Smith	Brooklyn, NY	2013-04-11	Because the Double D pool is wonderful and so needed in the community
isak tiner	brooklyn, NY	2013-04-11	We must stand together to fight against corporate greed & planning that is inconsiderate of the needs of each community.
Manuel Carrero	Brooklyn, NY	2013-04-11	I lived my entire in Park Slope, the first 25 years of my life. Douglas pool was the only place in the neighborhood my sisters and I spent most of our summers. This was a place were friends and family go to spend quality time and beat the heat :-). Why is it that whenever there is something being built, the neighborhood children have to pay. Leave the neighborhood pool and parks alone!
Sharon Chen	Brooklyn, NY	2013-04-12	I believe there are other ways to clean up the Gowanus Canal than taking the community pool away that many go to socialize and hang out at. What will they do once they're stripped of their favorite past time? Obesity is one of the biggest issues that we Americans are struggling to fight. You take the resource that provides and encourage physical activity away, you'll just push people to eat more and move less. You'll cause more problems than solving this one.
Mireille Mclean	Brooklyn, NY	2013-04-13	This pool is the best thing for our neighborhood kids in the summer.

Name	Location	Date	Comment
Denise Morales	Brooklyn, NY	2013-04-14	I'm signing this petition because I've used this pool since I was 13 yrs old. Now that I have my own family, we go to Douglas pool as a family. I would really hate to see this childhood place full of memories be destroyed!
Kristin Mensing	Brooklyn, NY	2013-04-15	My two daughters and I live in Park Slope and spend most of our hot days in Brooklyn at the Double "D". It is the ONLY accessible body of water for so many families, and moreso for for low income families in the community. It is a wonderful community center, where friends & family can cool off and relax during the hot summer months. PLEASE KEEP IT OPEN!!
Lorraine Le Tac	Brooklyn, NY	2013-04-15	This is a wonderful community pool that serves the immediate surroundings and beyond.
Wendy Margulies	Brooklyn, NY	2013-04-15	Great pool, serves as a necessary community resource especially for under-served children who cannot afford "camp" during the summer.
Leah Clarkson	Brooklyn, NY	2013-04-15	This pool is the only pool that can be reached on foot for a large number of Brooklynites--it is not dispensible; indeed, more resources should be devoted to improving this community treasure.
Radha Subramanyam	brooklyn, NY	2013-04-15	This is the only local pool for Park Slope, Gowanus and other neighborhoods
Kerstin Hofmann	Brooklyn, NY	2013-04-15	The children in the area NEED this pool in the summer! Please keep it open!!!
Jane Higgins	Brooklyn, NY	2013-04-15	My son (3) just saw a picture of the pool and said. "I love that cool pool." Keep it for the kids.
Katie Bednark	Brooklyn, NY	2013-04-15	This amenity serves an area where it is much needed!
Theresa Gonzalez	Brooklyn, NY	2013-04-15	Only outside recreational pool within walking distance or public transportation without having to cross a highway (ie Hamilton Ave to go into Red Hook). With little ones the travel to the pool is as big of a deal as the pool itself!
Alison Khalaf	Brooklyn, NY	2013-04-15	This pool is an important community resource.
Cathy Towle	Brooklyn, NY	2013-04-15	We use this valuable resource to beat the hot summer in the city. It's important for the community.
J. Sturm	Brooklyn, NY	2013-04-15	This pool serves a diverse group of Brooklyn residents who NEED and USE this pool all summer long.
amanda magalhaes	brooklyn, NY	2013-04-15	this is one of the best resources in our community
Jen Keiser Gordon	Brooklyn, NY	2013-04-15	My children and I love swimming in the Double D pool. It is a wonderful community resource.
Allan Scholl	Brooklyn, NY	2013-04-15	My children utilize this pool every summer with their friends. They joined the swim team and took lessons there.
Melissa Guion	Brooklyn, NY	2013-04-15	This is my local pool! My family, including my 6 year old daughter, use this pool to cool off in the summer. We can walk there. Please don't close it! It's one of the best community resources we have, and a place where all members of the community come together.
Clement Dargent	Brooklyn, NY	2013-04-15	This is the only swimming pool in the neighborhood... it's important for the community!
Jane Bliss	Brooklyn, NY	2013-04-15	While cleaning up the Gowanus Canal is great for the community, I don't support killing such a valuable community resource to do so.
patrick burns jr	Brooklyn, NY	2013-04-15	Me and my family use this pool almost every day of the summer. It would be devastating to my children, myself and the community, if this pool were to close, especially since the park was just beautifully renovated.
Sarah Lichtman	Brooklyn, NY	2013-04-15	My family uses this pool all the time in the summer. It is an important community resource where different types of people within the community can mix and enjoy spending time together.

Name	Location	Date	Comment
darian Silk	Brooklyn, NY	2013-04-15	My son learned to swim at this pool and it is a valuable community resource. Also the park was just recently re-done at much expense. As the housing increases in the Gowanus area it will be more and more important to have significant park resources available to all residents.
don sparacin	brooklyn, NY	2013-04-15	My daughter learned to swim here. There is ample space along the beautiful shores of the gowanus canal for your sewage treatment facility. Leave the community pool as is.
Bruce Hamilton	Brooklyn, NY	2013-04-15	During the spring and summer, this pool is an invaluable resource for all of the residents in the community. It is managed and maintained very well and compliments the adjoining newly renovated park. I'm pretty sure there are other locations along the canal that could support the treatment plant.
Antonia Martinelli	Brooklyn, NY	2013-04-15	This is the only walkable outdoor swimming facility in my area. The Red Hook Pool is not a pedestrian friendly option. The Double D pool makes the hot summer more tolerable and is the only opportunity my children have to learn how to swim. Why aren't we asking the Lightstone Group to put this storage facility under their buildings?
Sarah Moriarty	Brooklyn, NY	2013-04-16	Because we all deserve a place to cool off on a hot summer day. Because community is not just about working together, it is about playing together.
kathleen hackett	Brooklyn, NY	2013-04-16	The pool is just one of the things that brings people from diverse socioeconomic backgrounds together, which is essential to the health and well-being of the neighborhood and surrounding neighborhoods. It provides a healthy environment for kids in the summer --- most of whom might be left with few options.
Carolynn Di Fiore	Brooklyn, NY	2013-04-16	We have very little for our children in NYC at least let them have this pool.
Margaret O'Keefe	Brooklyn, NY	2013-04-16	We love and rely on the Double D pool as do many of our neighbors
Nancy Dodd	Brooklyn, NY	2013-04-16	My kids love to swim at the pool. It's our only community pool.
Melissa Ennen	Brooklyn, NY	2013-04-16	They are cleaning the canal in order to gentrify the neighborhood (not that it shouldn't be cleaned). Lower-income people get screwed constantly and are suffering most in this economy. Don't take the pool away, too.
Susan Boyle	Brooklyn, NY	2013-04-16	This is a necessary resource for Brooklyn families in the summer.
Louise Sloan	Brooklyn, NY	2013-04-16	I am sure there is some warehouse that could be bought and razed rather than substituting sewage for a beloved and well-used community resource.
Niamh Ring	Brooklyn, NY	2013-04-16	I've been going there for years and now take my 6-year old son there.
Christine Schwartz Hartley	Brooklyn, NY	2013-04-16	My kids and I have been going there for years. It's a great resource and wonderful space for the neighborhood's various communities to share during the summer. Taking it away would make a lot of people very angry. We need free public recreation spaces! More of them, not less!
edgar crutchfield	brooklyn, NY	2013-04-16	this is the only swimming pool in my nabe. we need it.
Boaz Weinstein	Brooklyn, NY	2013-04-16	The Double "D" pool is a valued and valuable community resource for thousands of Brooklynites, particularly in an area with limited park resources as is.
christine dappolonia	ny, NY	2013-04-16	A much used, needed and loved place for kids in the summer
Andrea Rashish	Brooklyn, NY	2013-04-16	This neighborhood deserves more services, not fewer!
patricia stegman	Brooklyn, NY	2013-04-16	Because it serves a highly populated area including large low-income apt. houses whose children need this park and pool very much!
Jennifer Bernstein	Brooklyn, NY	2013-04-16	The pool is a mainstay of our community life.
Tracey Maurer	Brooklyn, NY	2013-04-16	This pool is a vibrant part of our community

Name	Location	Date	Comment
Courtney Black	Brooklyn, NY	2013-04-16	My kids have been going to DD pool for a couple of years now. They love it. DD pool is surrounded by low-income housing. Taking the pool away means that when it comes to the summer-those kids wont have much to do since there isn't much around DD pool.
Roselyn Kopit	Brooklyn, NY	2013-04-16	This is an important resource for the entire neighborhood
Stephanie Church	Brooklyn, NY	2013-04-16	this pool is an amazing resource for the community--for kids and adults alike. a wonderful place to go in the summer.
Brooke Ferguson	Brooklyn, NY	2013-04-17	This is the only pool in our neighborhood!
Linsey Laidlaw	Brooklyn, NY	2013-04-17	Its where we swim!!!
Jessica Hartshorn	Brooklyn, NY	2013-04-17	There are plenty of other spots, you don't need to take away the place our kids go to exercise and be healthy!
Agnes Crane	Brooklyn, NY	2013-04-17	I've been going to the DD pool for 10 years and my 7-year daughters learned to swim there. With so few places to cool off in the summer, it's a terrible idea to close the pool that the whole community enjoys.
Elizabeth Williams	Brooklyn, NY	2013-04-17	This is a valuable r
Jessica Trauner	Brooklyn, NY	2013-04-17	My family and I use this pool all summer long. It is a wonderful local pool that we can walk too and it provides respite and an easy, accessible way to cool off during the hot summers. Many individuals in the community use this pool from diverse backgrounds, and many people do not have easy means to get to another pool (for example, the pool in Red Hook), if this one were to close. We ask that the EPA seek out another site in build a sewage storage facility as part of the Superfund Gowanus clean-up.
kathleen henderson	bklyn, NY	2013-04-17	Our kids need this pool to stay cool in the summer.
David Lengel	Brooklyn, NY	2013-04-17	Removing pools has a signifigant impact on the quality of life of nearby residents. Providing centres such as these are one of the many reasons New York is one of the most livable cities in the world, and pools are one of the best public services in its history. Please find another place for this facility.
Matt Polacheck	Brooklyn, NY	2013-04-17	My kids go to this pool every week with their summer camp, and it would be a shame to close such a valuable resource for our children and the community.
Kate Rope	Brooklyn, NY	2013-04-17	This pool is a valuable, well-used, and well-loved community resource that serves an economically diverse neighborhood. There is no reason the neighbors of the Gowanus canal should lose such an important part of their life in order to clean up the canal. There are many other accessible pieces of real estate to use for the same purpose. How horrible is it to take away a safe and enjoyable summertime activity from kids who need it only to replace it with raw sewage? That's a PR nightmare, EPA!
sandye renz	Brooklyn, NY	2013-04-17	We love the pool and go there often.
Jaime Brackeen	Astoria, NY	2013-04-17	A free public pool offers the potential for interaction between people of many ethnicities, social levels and walks of life to interact in a safe and fun environment. Why take that away?
Valerie Wattenberg	Brooklyn, NY	2013-04-17	This pool is an essential outlet for Brooklyn's children; how can you trash children's needs, and shift the burden from companies that poisoned the Gowanus and government that allowed it?
Isidora Finkelstein	Brooklyn, NY	2013-04-17	I love this pool! It is clean and well-managed. It is one of the most diverse places in Park Slope and the surrounding area. Plus, they just redid the park next to it.

Name	Location	Date	Comment
Jordan Green	Brooklyn, NY	2013-04-17	I live in the area- and the Double D pool is very valuable to our community. Also- when it comes to the super fund site- the polluters should be held accountable- and the community should not suffer from their actions.
Susan Kovar	BROOKLYN, NY	2013-04-17	This pool is such a neighborhood treasure! I visit regularly throughout the summer and love seeing neighbors and children enjoying the summer and taking the opportunity to cool down. Please do't take away our pool!!
Douglas Allen	Brooklyn, NY	2013-04-17	I don't want to live a block away from a raw sewage facility.
Peter Kinoy	Brooklyn, NY	2013-04-17	City pools are vital to democratic city life; the mingling of people all enjoying the same space.
Kyle Vitale	Brooklyn, NY	2013-04-17	We love this pool and swim here multiple times per week in the summer!
Isadora Reisner	New York, NY	2013-04-17	Everyone should have fun in the summer-- not just those who can afford it.
Susanna Yurick	Brooklyn, NY	2013-04-17	Think about community needs before destroying their resources.
Imanigayle Gillison	Brooklyn, NY	2013-04-17	This is important to me because Thomas Greene Park (not "Douglass/Greene" as it is being referred to) was named after my Godfather for his endless community advocacy and service to this district. He would want this park/pool/playground to remain accessible to local Gowanus Houses, Wyckoff Gardens and Warren/Turnkey Houses Community Residents.
Cricket Keys	Brooklyn, NY	2013-04-17	Public Pools are an important part of the community as much as parks. One of the few things tax payers can enjoy!
RK Dillon	Brooklyn,, NY	2013-04-17	This is a wonderful neighborhood asset & wouldn't be duplicated anywhere near if it's demolished.
RENEE FLOWERS	BROOKLYN, NY	2013-04-17	I was there and anticipation was at an all time high when this recreation area was being constructed. This pool has been the fun place to hang out for many years. What's more important is that it has drawn together the community. We live in a super diverse community and having everyone meet each other while engaging in this fun recreation has been an asset to the development of community relations (and that is awesome in itself).
Beth Frey	Brooklyn, NY	2013-04-17	It's in my community and is a wonderful resource to have in the summer for my daughter.
Katy Reitz	Brooklyn, NY	2013-04-17	There are so few places in the city for children to be able to be outside and experience the water. The DD pool is a gem that is well utilized by the community.
Mary Beth Early	Brooklyn, NY	2013-04-17	Come on! This is a great community resource for kids and families!
Greg Tiefenbrun	Brooklyn, NY	2013-04-17	I live nearby and use the pool often.
Mary Bruccoli	Brooklyn, NY	2013-04-17	This is the one amenity in the neighborhood used by everyone... young, old, black, white, rich, poor. There are plenty of open lots by the canal. Please don't take this away from the neighborhood!
Shayna Kessler	Brooklyn, NY	2013-04-17	Places for community members to exercise, play and engage in healthy activities keep communities safe and healthy by providing positive alternatives to unsafe behavior. Please don't harm our community by destroying our pool.
Julius Elinson	Brooklyn, NY	2013-04-17	This is one of the few places in the neighborhood for free and healthy fun in the summer.
Nasoan Sheftel-Gomes	Brooklyn, NY	2013-04-17	I used to live a block away and I used to take my child there. It is an extremely important part of the Park Slope community. There is a playground on the site and the community and it's children should not have to lose a vital community resource to help the Gowanus Superfund clean-up. Make the polluters pay not our community!

Name	Location	Date	Comment
Kayla Chisholm	Fanwood, NJ	2013-04-17	I grew up going to this pool, its pool that keeps kids out of trouble in the summer and gives you something to do .
Antoinette Wannebo	Brooklyn, NY	2013-04-17	It is vital to provide free opportunities for safe, healthy fun for kids and their families during the summer months. This pool serves that purpose and more -- it is well used by the community, provides a venue for free lunch and swim lessons. It is not an acceptable solution to close down a vital public community resource. I also question the environmental and social justice of siting a multimillion dollar raw sewage storage facility in the neighborhood.
J Jackson	Brooklyn, NY	2013-04-17	I frequent this pool with my son and his aunt every summer. It's a well-maintained and well-operated facility, and one of the rare places where the entire Pk Slope/Gowanus community can convene and everyone feels welcome.
Lara Holliday	Brooklyn, NY	2013-04-18	The Double D is a huge part of our community -- a place for all of the children to cool down and have fun in the summer. But more importantly, it gives city kids a chance to learn to swim -- a potentially life-saving skill that everyone deserves a chance to learn. Please save our pool!
Lisa Hickey	Brooklyn, NY	2013-04-18	my child and i use this pool regularly during the summer - the kiddie pool is wonderful and there is not another public pool in our neighborhood.
Steve de Seve	Brooklyn, NY	2013-04-18	The canal must be cleaned and the sewage must be stopped. But the city, state, and National Grid are the problem. They must pay the full amount, including paying to make a new pool the locals can use --- otherwise it means the local families will be paying with their summer activities, for cleaning pollution others are responsible for. A new, nearby pool site must be acquired. There are a few sites nearby. But the city and the crooked bloomberg administration has to cough up the money and do the right thing.
Lisa Baker, MD	Brooklyn, NY	2013-04-18	Please don't take away community places that are used by all different members of the community. This pools draws from all around it and beyond.
sheelagh appleby	brooklyn, NY	2013-04-18	i great place to take my 3 year old when it's hot outside
Beverly J Kidd	Dayton, OH	2013-04-18	Children need safe, and clean places for recreation.
Taryn FitzGerald	Brooklyn, NY	2013-04-18	First the school, now the library, and next the pool? We don't have enough resources as it is, in this community. Enough! Leave our neighborhood alone!
Scott Levy	Brooklyn, NY	2013-04-18	We run a business with multiple locations in the area and this is a valued pool for our families!
Adam Witten	Brooklyn, NY	2013-04-18	This park was just renovated over the winter and the pool is in heavy use all summer. It is a true public space. Please keep this keystone of the community open.
Sergio Fanchiotti	Brooklyn NY, NY	2013-04-18	This is an important service to the neighborhood. Taking it away is really absurd.
David Locke	Cape May, NJ	2013-04-18	There are too few such amenities in this neighborhood to lose this one, even for a few years. Maybe they should put the retention tanks under that huge luxury coop about to be put up on the other side of the canal, what?
Stuart Dryburgh	Brooklyn, NY	2013-04-18	Me and my two boys swim there every day through the summer. And it is always packed with kids from the neighborhood. Vital!
Basheba Vazquez	Brooklyn, NY	2013-04-18	This is a great community pool. We frequent this pool many times throughout the summer. It also provides free meals for those who need and a great wading pool for the little ones.

Name	Location	Date	Comment
Carolyn Pravda	Brooklyn, NY	2013-04-18	Please save the DD pool! It's an important recreation spot for two family filled neighborhoods!
Stu Anderson	Brooklyn, NY	2013-04-18	I grew up swimming in this pool and I would hate not to be able to share it with future generations. This is a Brooklyn landmark, not a disposable feature.
Henry Carrier	Brooklyn, NY	2013-04-18	I have been to the pool many times with my children. The pool is safe, clean and a welcome relief on a hot day. Public Space is a premium in Brooklyn. Do not take it away.
Deirdre Dolan	brooklyn, NY	2013-04-18	there aren't a lot of ways to entertain kids in brooklyn in the 90 degree heat.
Melissa Fitzpatrick	Brooklyn, NY	2013-04-18	This pool is an important part of an already underserved community -- why take away one of the few benefits they enjoy?
Eva Garriga	Brooklyn, NY	2013-04-18	because it is important for the community to have a place to cool off in the summer.
leslie nuchow	brooklyn, NY	2013-04-18	What would Jesus do? Take a summer pool away from inner-city kids to build a poop tank? Seriously? We need to wake UP to TRUE FAMILY VALUES. What will all of those children do in the hot summer? Do we care? Let's show the children and families that we DO CARE by stopping this closure. When will we see the value in putting our children first?
mike benson	brooklyn, NY	2013-04-18	community, health, chill out factor, connection to a natural element in an urban setting, diverse groups connecting, health and fitness, wellness, access to swimming,
Tom Lino	Brooklyn, NY	2013-04-18	Our family swims at the "Double D" pool to escape the summer heat. We love it!
gilles bransbourg	brooklyn, NY	2013-04-18	This pool serves the entire community and is a key entertainment component of what the neighborhood has to offer during summer, especially for those we don't or can't travel to nice vacation spots. Removing it would be hugely detrimental, especially to the less privileged members of our community.
Ariel Flavin	Brooklyn, NY	2013-04-18	This pool brings our often separated community together. It's a resource for everyone and kids in the city deserve a place to swim and cool off in the summer. It's one of our neighborhoods most valuable resources.
Sharon Guskin	Brooklyn, NY	2013-04-18	This pool is important for the community.
Tonya Thornton	Brooklyn, NY	2013-04-18	Summer would not be the same without the DD pool! This pool is the perfect way to cool off during the hot summer months and enjoy the water with my daughter! Please don't close the pool,
Bomee Jung	Brooklyn, NY	2013-04-18	This is a community facility beloved by families of varying economic means. There's nothing like this pool anywhere near by. Cleaning up Gowanus shouldn't place more burdens on the parents and kids of this community!
Emma Golden	New York, NY	2013-04-18	My kids use thsi pool every summer as do many kids in and around the area
Allison Conner	Brooklyn, NY	2013-04-18	Brooklyn needs it's pools. That's where my step-daughter learned to swim! It's good for the community.
Lucy McNair	Brooklyn, NY	2013-04-18	This is a fabulous small pool perfect for beginners and families and has no other one like it in the city.
Ian Dutton	New York, NY	2013-04-18	Any temporary displacement of public amenities must be rebuilt an replaced in a final state of the project with interim accommodations provided!

Name	Location	Date	Comment
Sabine Aronowsky	Brooklyn, NY	2013-04-18	<p>Friends of Douglass Greene Park (FODGP) supports a comprehensive cleanup of the Gowanus Canal, that includes addressing Combined Sewer Overflows (CSO's) and coal tar waste entering the canal from the uplands area. We ask the EPA to make the polluters pay and not our children and our community. The potentially responsible parties (PRP's) are National Grid and the City of New York.</p> <p>We do not want a raw sewage tank to disrupt our Double D pool and we need clear answers about the level of toxicity of the land beneath the pool. The families that use this Park and Pool deserve remediation and not more obfuscation from the PRP's. There are other locations, closer to the CSO outfall (RH-034), where the tank can go, such as the lot on Nevins and Butler, across the street from the Pump station and the Flushing tunnel.</p> <p>Over \$500 M will be spent on this cleanup and we want a Record of Decision that minimizes any possible disruption to the park & pool and provides for any direct costs related to that, including a nearby temporary pool and a permanent replacement, along with all the community services and other park amenities accounted for. Anything less would be considered an environmental justice issue, and there are EPA protocols for this.</p>
Kristin Brady	Brooklyn, NY	2013-04-18	Our family relies on this pool all summer - what a fantastic community resource! We would hate to see it go.
Michelle de la Uz	Brooklyn, NY	2013-04-18	Assuming the pool needs to be disturbed to either properly remediate the Fulton MGP site or as the most appropriate location for a retention tank, then an interim location for a temporary pool MUST be found so there is no loss of access to the local community to this critical community asset AND the community must be involved in redesigning a new, replacement pool (and park if that is impacted too). The cost of the interim pool, design process that includes the community, and new pool should be born by the PRPs responsible. Thanks
Sarah Jefferys	Brooklyn, NY	2013-04-18	In summertime, my kids go to this pool almost every day. It is a life saver in hot weather and a very special spot for city kids to swim. Please save the pool!
Sheri Stein	Brooklyn, NY	2013-04-18	Please don't make local kids who have so few places to go in the summer suffer.
Jayson Haedrich	SUNNYSIDE, NY	2013-04-19	NYC Pools are important for everyone Relief from the summer heat
Anita Keire	Brooklyn, NY	2013-04-19	Love that pool in the summer time!
Michael Cosaboom	Brooklyn, NY	2013-04-19	My family uses the pool practically every day in the summer. It's the best recreational space in the neighborhood and it needs to remain open.
Geri de Seve	troy, NY	2013-04-20	My granddaughters live in the neighborhood and kenjoymthis pool in the summertime. I want to keep it open and I want it to be safe for them and the other neighborhood children who need a
Lisa Bohan	Brooklyn, NY	2013-04-20	This is a important community resource!! Please find another location for the treatment plant.
Ann Armbruster	Brooklyn, NY	2013-04-20	There are only two pools serving all of South Brooklyn. They are both packed in the summer.
Christian Fox	Brooklyn, NY	2013-04-20	The DD pool is a great resource for the community and is anything but underused. Shutting it down would remove a positive activity for many youths and families during the summer months.
Elizabeth Amon	Brooklyn, NY	2013-04-20	We love going to the pool in the summer-- it's close and a relief from the heat.

Name	Location	Date	Comment
Albert Wong	Brooklyn, NY	2013-04-20	This is the only public pool in Park Slope/ Gowanus!
Eva Radke	Brooklyn, NY	2013-04-20	This is a community resource we need preserved!
Nancy Broadway	Brooklyn, NY	2013-04-20	This is an important community resource which is utilized by people from all over the community.
Barbara Hatfield	Brooklyn, NY	2013-04-20	I use the pool and recognize its importance to the community.
David Osorio	Brooklyn, NY	2013-04-20	I owe a business on Degraw street (CrossFit South Brooklyn). Many of our parents take their kids to the pool after classes, it is a great part of our summer experience. It would be a shame to lose this pool as the entire community uses it. Please don't take more away from the housing projects too..
Andrea Lewandowski	Brooklyn, NY	2013-04-21	My kids and many of their friends depend on this using this pool every summer. It is not fair to penalize the community. We need this pool!
Paul Sonn	Brooklyn, NY	2013-04-21	Gowanus has so little park and community space already. It can't afford to lose the little that it has. The Double D Pool is a wonderful resource used by families from a wide range of neighborhoods - please find another alternative!
malcolm varon	new york, NY	2013-04-21	<p>i use this pool often in the summer as a way to escape the heat and to get exercise and recreation. It is convenient, and provides a much needed easy to reach break from my very busy life schedule. I would find closing of this pool a severe damage to my quality of life in my neighborhood. I urge you to reconsider your proposal, and not destroy this much needed and much used pool, playground, and park facility.</p> <p>Yours sincerely,</p> <p>Malcolm Varon</p>
Jim Brennan	Jersey City, NJ	2013-04-22	Plenty of vacant lots and vacated industrial spaces in and around that neighborhood could be used as locations - NYC residents need public pools
jennifer gandia	brooklyn, NY	2013-04-23	Brooklyn needs more, not less recreational spaces for its residents and children. This pool provides a valuable space for outdoor activity in the community. Please find another location for your sewage plant - yuck!
Maia Murphy	Brooklyn, NY	2013-04-23	DD pool is a rare example of a public space in a neighborhood short on green spaces. Keep it open!
Francine Pado	Brooklyn, NY	2013-04-24	My family uses the pool every day in the summer. Please don't close it!!!!
Adria Stokes	Brooklyn, NY	2013-04-25	This is important to me because we need to keep the few neighborhood get-aways that we have.
Teddie Vietor	Brooklyn, NY	2013-04-25	My grandchildren and I frequent the pool during summers
lauren healy	brooklyn, NY	2013-04-25	We love swimming at this pool as one of our main summer activities! great for kids to have somewhere to go in the summer!
Jeannine Cooke	Brooklyn, NY	2013-04-25	Why destroy & dirty (with sewage!!!) a perfect place, to clean up a polluted one? if this happened in another country our government would protest. Everywhere in the world people replace sewage with parks & pools. Why would we do the opposite? Our park & pool are the recreation camp & summer camp for thousands of people from our community who can't go to camps outside the city. With all the unused land around this canal, why would anybody think about destroying our newly restored park & pool?
sarah crichton	brooklyn, NY	2013-04-25	This pool keeps our neighborhood healthy and happy and sane and calm!
Kathy McCullagh	Brooklyn, NY	2013-04-26	The pool keeps us sane in the summer - we can bike there - please don't destroy this pool!

Name	Location	Date	Comment
Amy Freeman	Brooklyn, NY	2013-04-26	Summers are only getting hotter in NYC and everyone needs a place nearby to cool off - especially people who can't get out of the city easily. NYC knows this better than the EPA, and can and should come up with a better, more well thought out plan. Why should the local community suffer the consequences of the polluted canal AND be the ones to pay for it??
Lisa Grocottl	Brooklyn, NY	2013-04-26	With no green space near us this is the closet thing to our local park.
ed lavelle	brooklyn, NY	2013-04-26	take a place where kids play and make it into a raw sewage tank? you're going the wrong way.
steven hart	brooklyn, NY	2013-04-26	I wish to preserve civilization from sewage tanks.
Chris Stocksmith	New York, NY	2013-04-26	We love the pool.
E Shigaki	Brooklyn, NY	2013-04-26	It is in my neighborhood and important to the working class families who use it!
Tammy Kreiter	Brooklyn, NY	2013-04-27	There are many industrial & desolate areas aligning the canal that would be closer and more efficient placement to help clean up the canal. Destroying an oasis seems a poor choice of location.
Rhonda Keyser	Brooklyn, NY	2013-04-27	This is our neighborhood pool! We go here and our daughter can meet friends and mix with other kids she would otherwise never meet. The staff is courteous and the pool is always clean and feels safe. Lots of area kids can get healthy lunch here every day. Please don't take away what works and is good for the community!
Zhenia Stadnik	Brooklyn, NY	2013-04-27	This is our neighborhood pool - my son trains for the city team there. There is no other place in our neighb. where kids can get swimming lessons provided by the city for free.
Michelle Kupper	Brooklyn, NY	2013-04-27	Such a great n'hood spot!
Emmet Malmstrom	Brooklyn, NY	2013-04-28	The Double D Pool is part of our community and an oasis for everyone during Summertime
melissa dadourian	brooklyn, NY	2013-04-28	my kids use the pool
Carol Cohen	Brooklyn, NY	2013-04-28	Our community needs places that bring us together and keeps neighborhoods strong
Marie Watt	Brooklyn, NY	2013-04-29	We love his pool. It's a community meeting place. It's not as celebrated as other swimming and water venues in the neighborhood and frankly that is part of the draw. In reality, it is located in a rapidly growing family centered neighborhood in Brooklyn, especially as families are being price out of nearby neighborhoods. This pool is more essential then ever. It also continues to compliment a newly renovated park.
dagmar cecic-karuzic	brooklyn, NY	2013-04-29	The best pool for my 7 year old and in walking distance
Meema spadola	BROOKLYN, NY	2013-04-29	Brooklyn families need a place to cool off during the hot summer months! This pool is used and enjoyed by a large and diverse group of Brooklynites!
Jessica Cary	Brooklyn, NY	2013-04-29	We got to the Double D three times a week during the summer! It's amazing.
Bob Bland	Brooklyn, NY	2013-04-29	My daughter Penny did her swim lessons at Double D, and its a BEAUTIFUL pool! That part of the community deserves a great public resource like Double D.
Meredith Davis	Brooklyn,, NY	2013-04-29	Community!!! how will NYC keep middle class people in the city with zero amenities! we use this pool and so do thousands of other middle and working class brooklyn families. NOT an option to remove this pool or park.
havona madama	brooklyn, NY	2013-04-30	We spend a fair amount of our summer at the D&D pool with its very practical shady area for that few area pools provide.

Name	Location	Date	Comment
Emily Cowan	Bloomington, IN	2013-04-30	There are so few communal and affordable places to keep cool in summer. Please don't take this from the kids and families.
Brad Farwell	Brooklyn, NY	2013-04-30	The pool is a great and needed community space. Don't hurt the area more in your attempts to help it.
Sindia Fernandez	Brooklyn, NY	2013-04-30	Let's keep family friendly opportunities in the neighborhood. Isn't that what we need most?!
Lindsay Anderson	Cincinnati, OH	2013-04-30	This is the best public pool for my family. Don't close it!
Matthew Christensen	Beverly Hills, MI	2013-05-02	I live right by this park and it is incredibly important to my life and the lives of my neighbors. These are rare places and we can't afford to make them even more rare.
K Karmen	Brooklyn, NY	2013-05-10	Have been going to Double D since my kids were babies. Next closest public pool is Red Hook, which is not easily accessible.
arielle meier	Brooklyn, NY	2013-05-11	we've been going to dd pool for at least 10 years. we love it and rely on it to get us through the summer.
teresa kahres	brooklyn, NY	2013-05-11	love the public pools and the gowanus should have been delt with years ago.
Jesse Hendrich	Brooklyn, NY	2013-05-13	Our family loves this pool. My son learned to swim there a few years ago and we hope to teach our daughter to swim when we go there this summer.
Virginie Ladisch	Brooklyn, NY	2013-05-13	As a local resident, I love being able to go to the pool and take my kids there too.
James Forrester	Brooklyn, NY	2013-05-20	The neighborhood has seen huge numbers of new families moving in without a commensurate increase in facilities to support them. Now is not the time to be taking them away.
Alice Wong	Brooklyn, NY	2013-05-20	City echildren need as much outdoor space as possible
denise shaffer-berne	brooklyn, NY	2013-05-20	there are VERY FEW places in the city that are affordable to cool down on a hot day. DD Pool is one. Located in a very underserved area, it would be a crime to close the facility! Other places can be found for the EPS's Sludge storage—DD Pool should not be on the list of possibilities.
Carey Johnson	Brooklyn, NY	2013-05-20	This sort of tone-deaf ham-handed ignorance of the value of a community resource is one of the reasons I was skeptical of the EPA's involvement. Is this really the *only* location you can find for a retention tank?
Michael DuBick	Brooklyn, NY	2013-05-21	This is an important neighborhood resource, especially for children.
Carolyn Hughes	Nashville, TN	2013-05-21	Every neighborhood should have access to safe, healthful recreational facilities.
Tracey Berg	Brooklyn, NY	2013-06-02	The park and pool are one of the few assets of the neighborhood. This neighborhood really needs that pool. Can't you find someplace else to put the sewage retention tank? There are lots of large unused blocks of buildings nearby. Why aren't those sites an option? Please, let the neighborhood keep its sorely needed pool.
Michael Cantone	Brooklyn, NY	2013-06-27	This pool is my childrens summer get away!
Pierce Allen	Brooklyn, NY	2013-06-29	I live in the area and have kids. I take the kids to the pool at least once a week during the months it is open.
Camden McDaris Black	Brooklyn, NY	2013-06-29	I was there this morning, and have spent most summer weekends there since my son was born 3 years ago. The thought of this pool closing HORRIFIES me and we MUST stop the closure. The Double D exemplifies what is beautiful about B'lyn - kids from all walks of life being able to enjoy themselves for free in a clean, safe space. PLEASE WRITE ALL YOUR LEGISLATORS ABOUT THIS!

Name	Location	Date	Comment
Marilia Destot	Brooklyn, NY	2013-06-30	That's our local pool ! I go every summer with my kid, it's free, clean, a nice way also to meet a mixed group of people from the diverse brooklyn and i'm sure many kids going there can not pay private membership to YMCA etc... the best way to cool down the summer, should be kept as one service priority for local families.
Lindsay Donnellon	Brooklyn, NY	2013-06-30	It is important to clean the Gowanus but not at the expense of simply shifting the environmental burden from one place to another. Plus the cleanup of the canal as a public good should not sacrifice nor degrade another public good. Please reconsider this idea with one that is not NIMBY-esque in its solution but holistic and non-harming.
TOM MURPHY	Brooklyn, NY	2013-07-01	I empathize with them. The EPA is inflicting harm on this neighborhood when the cause resides up-hill.
Maggie Furlong	brooklyn, NY	2013-07-02	I use the DD pool. it is also one of the few available parks with summer activities for the people who live in the projects close by.
Diana Gliedman	Brooklyn, NY	2013-07-02	Our children rely on the Double "D" pool to cool off every summer! It is a community treasure-- don't take it away.
Patricia Conway	Brooklyn, NY	2013-08-26	Few other recreational facilities in the neighborhood...since money spent on the adjacent park, even more important.
Johanna Neufeld	Brooklyn, NY	2014-10-03	I live around the corner. This pool is a wonderful place to spend summer afternoons and its the only one for miles. Without it our neighborhood won't be the same.
Noma Price	Brooklyn, NY	2014-10-04	I use this pool all summer with my daughter. It is one of the few in the city with a wading pool for toddlers and is a very important public resource
Richard Weisfeld	Brooklyn, NY	2014-10-04	Where do I start?
Mark Koppel	purdys, NY	2014-10-05	parks must never be eliminated. period. the end. thank you.
Elizabeth Appel	Lake Peekskill, NY	2014-10-05	My granddaughter lives in this neighborhood so this could affect her happiness and safety.
Sue Wolfe	Brooklyn, NY	2014-10-06	This is the only park and pool in Gowanus and we have to save it! There are other areas where the overflow sewage tanks can be placed. Sue
Jennifer Kliegel	Brooklyn, NY	2014-10-06	My business is one block from the location and this pool & park are necessary and important parts of the kids' lives and the parents, too. This is not the answer - shame on anyone that is backing this idea - shame on you!
Kirby Kim	Brooklyn, NY	2014-10-07	I go to the park and the pool multiple times a week in the summer. My son loves it. In particular the wading pool for toddlers is a rare aspect that distinguishes the pool from others. It's a place where people from the whole neighborhood can get together and it's something we all - regardless of job, race, socioeconomic level - treasures equally. It's good clean family fun for free and in this neighborhood that's desperately needed.
M. Janice Cardona	Brooklyn, NY	2014-10-08	We use the Double D pool almost daily in the summers. It's very convenient, clean, and the staff is cordial and knows my daughter by name.
Paul Zinman	Brooklyn, NY	2014-10-09	We frequently use the Double "D" pool. It is a valuable community resource that we cannot afford to lose!
M T	Brooklyn, NY	2014-10-09	I live in the neighborhood and took my children to this pool many times when they were younger. It is a much-needed community resource!
Shawn Lewis	Brooklyn, NY	2014-10-09	I bring my 7 year old twins to this pool all summer long. Downtown Brooklyn is bursting with families- we need these vital outdoor spaces.

Name	Location	Date	Comment
suzette forte	brooklyn, NY	2014-10-09	Our community uses it - with more buildings and less green space it's an asset in the warmer months when close quarter living is heated.
regina caulfield	Brooklyn, NY	2014-10-09	It is a much needed resource for this community. Put the tank closer to the canal where it belongs...put it in whole foods backyard...I'm sure the payoff will be great.
gaye jones	brooklyn, NY	2014-10-11	because we cant all aford to take trips to the beach! and families need a place to play and its a great way to stay cool, kids need to get the chance to learn how to swim , n the ymca is not cheap!!
cris pop	brooklyn, NY	2014-10-21	this is one of the last things still around, reminding of a calmer, more breathable neighborhood... Don't kill it!
Edward Blake	Brooklyn, NY	2014-10-21	I often visit the pool during the summer as a place to cool off. It is a highly successfully public park in our neighborhood.
Joel Greenwald	Brooklyn, NY	2014-10-21	I use the Douglas and Degraw pool during the summer months. There is no other public pool nearby. It serves a vital need in my community for recreation and cooling down during the summer months. Suitable alternative sites should be able to be located for a sewage holding tank.
Alexandra Friend	Brooklyn, NY	2014-10-21	For the community. It's a much better place when kids have somewhere to be in the summer and gives the people ownership over their community.
Rae Jacobson	brooklyn, NY	2014-10-22	Kids should have a place to swim, regardless of money or where they happen to live. Find a new place for your poop tank.
Cathleen Schine	New York, NY	2014-10-22	my brother and his family live in park slope and they and all their neighbors who can't get out of the city in the increasingly hot summers should have a neighborhood place to swim
Mia Simring	New York, NY	2014-10-22	New Yorkers need public pools!
Carol Cardozo	Austin, TX	2014-10-22	When I lived in NYC, I loved swimming at free city pools. They meant a lot to me. I had fun with my friends and in August, swimming pools provided an important escape from the heat. Kids need pools in the summer, families need pools in the summer and teenagers and young adults need pools too. Swimming is magical. The idea that they want to close a neighborhood pool just so a government agency can build something that could be built in many other places is just wrong. Yes the spot is clear, and flat and because the pool is there, a lot of the prep would already be done, but that pool is important to so many people. So many kids would lose their place to be kids. Neighborhoods need pools. The Double D needs to stay.
Claire Curtis	S Berwick, ME	2014-10-22	I have friends who live near there. The pool is an invaluable part of the neighborhood. The holding tank can be located somewhere that does not destroy community.
Richard Patrock	Kingsville, TX	2014-10-22	We need to keep as many playgrounds free as possible. Swimming is important, especially in the summer in NY. This pool is largely attended by the relative poor in the city and the pool removed would be a huge burden to the neighborhood.
David Ameijeiras	New York, NY	2014-10-22	I see all the how the park has changed our community as I go to work each day!
Oliver Dungey	Brooklyn, NY	2014-10-22	This pool serves several communities across numerous neighborhoods. It is an amenity that is loved and used abundantly by everyone. Why make life a little bit worse for everyone by removing it?
Oliver Jones	New York, NY	2014-10-22	Its a huge community benefit in the summer months and great addition to the neighborhood
Linda Blyer	Bklyn, PA	2014-10-22	Park space should not be destroyed for sewage that can be located elsewhere

Name	Location	Date	Comment
Brian Janusiak	Brooklyn, NY	2014-10-22	We are from the neighborhood and this is an important resource for parents and children in the Summer months!!!
Carole Rubenstein	Brooklyn, NY	2014-10-23	Need every pool for families to use
Alice Kaltman	Brooklyn, NY	2014-10-23	I am a swimmer, and a neighbor, and the kids around here NEED the double "D"!
Jennifer Melby	Brooklyn, NY	2014-10-23	Double 'D' pool is vital to our community
Craig Seligman	Brooklyn, NY	2014-10-23	The Double "D" pool is an important community resource.
David Jacobson	Brooklyn, NY	2014-10-23	My neighborhood
Nadine Berger	Brooklyn, NY	2014-10-23	Only outdoor pool on the neighborhood. Essential for summer and the many kids here, including my own.
Mike Crowley	Brooklyn, NY	2014-10-23	This is a public park. Not a toxic waste holding site. The only things happening in this park right now should be the ongoing renovation and renewal project, which is only a third finished at this point. The neighborhood is up and coming, people use the park more with every day that goes by.
bryan mechutan	nyc, NY	2014-10-23	my 6 year old daughter loves the pool!
dwight smith	brooklyn, NY	2014-10-23	Our neighborhood already has too little open space by standard city measures and taking away this park would make matters much worse, which is totally unreasonable.
John Baumann	Brooklyn, NY	2014-10-23	Important for the neighborhood
Elisa Wallman Jacques	Brooklyn NY, NY	2014-10-24	Every neighborhood should have a pool. We can't start taking this important summer resource away.
Jessica Tolliver	Brooklyn, NY	2014-10-24	My home and my family business (Brooklyn Music Factory, a music school for kids & adults) are located within blocks of the park. The park is a precious and necessary resource to the community. My family uses it personally, and our school uses it during camp every day all summer long. Our students and their families also use the park year round before and after their classes. In an industrial neighborhood like Gowanus, usable outdoor space is rare and much-needed.
Irene Van Slyke	Brooklyn, NY	2014-10-24	Boerum Hill has almost no open space or public facilities so the Park and the pool are important
Philip Antoniadis	Brooklyn, NY	2014-10-24	This is one of very few public pools in this area of Brooklyn.
nancy feinberg	new york, NY	2014-10-24	because my colleague cherishes this neighborhood park
Christopher Galloway	Ridgewood, NY	2014-10-24	This community is disadvantaged enough; we do not deserve to lose scarce community resources while the greedy continue their desecration unhindered.
Henry torres	Brooklyn, NY	2014-10-24	I grew up with that pool as they only source of entertainment we had in that area and I would like my kids to also experience the same joy as I when I was a child.
Douglas Barnes	Brooklyn, NY	2014-10-27	This is a wonderful facility in a neighborhood that has a serious lack of parks.
Lissa Wolfe	New York, NY	2014-10-27	It's a great park with wonderful programming for an area that doesn't have a lot of green space.
Daughtry Carstarphen	BROOKLYN, NY	2014-10-27	This pool is AMAZING and is the only one around for MILES. It brings together so many different people - come see for yourself!
Susan Laughter	Brooklyn, NY	2014-10-28	concerned about health and recreation of our children

Name	Location	Date	Comment
Margaret Cusack	Brooklyn, NY	2014-10-28	The improvements to the park and pool are important features in our community. The many neighbors and volunteers in a variety of ages and backgrounds should be commended for their efforts, which have enriched Brooklyn.
Heather Campbell	Brooklyn, NY	2014-10-30	Brooklyn does not have enough recreational spaces for its citizens and this is a treasured spot
Robert Greer	Chicago, IL	2015-01-28	This is the ONLY greenspace in this neighborhood. Other potential sites are being passed over because they are slated for development by wealthy hotel owners. Don't clean up Gowanus on the backs of the local community!

From: [Mugdan, Walter](#)
To: [Singerman, Joel](#); [Carr, Brian](#)
Subject: FW: Concerns on the Head-of-Canal cleanup
Date: Thursday, June 02, 2016 8:11:16 AM
Attachments: [Thomas Greene playground.pdf](#)
[photo.jpeg](#)

From: Peter Reich [mailto:swiftfolders@gmail.com]
Sent: Tuesday, May 31, 2016 10:52 PM
To: Mugdan, Walter <Mugdan.Walter@epa.gov>
Subject: Concerns on the Head-of-Canal cleanup

Dear Walter,

I'm writing to you with my own comments/hopes on the head-of-canal RH-034 CSO tank placement and work to remove buried pollutants. I live at 280 Nevins Street, a legal Artist-in-Residence M1/M2 loft building just south of the Eastern Effects soundstage. My wife and I have been here since 1983, and we've raised 3 children here.

I love this community. I am in solidarity with Eastern Effects. I understand the absolute necessity of digging up and remediating the most heavily contaminated spots in this 6 block area, and I understand that there must be a fair amount of disruption to do so.

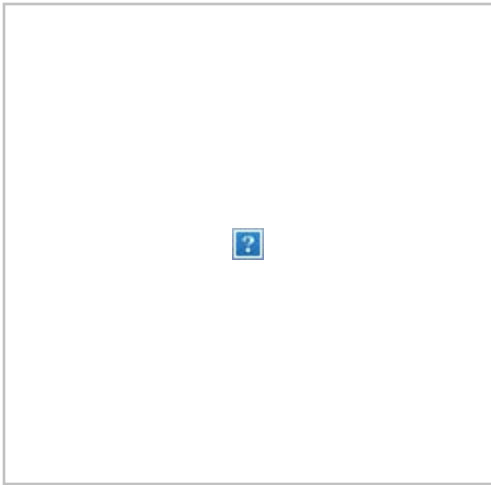
I am writing to outline what I see as the most sane sequencing of the job at hand, from the perspective of one who has lived here for more than 30 years, with the goal of minimizing damage to what we already have (the park, the trees, and some nice architecture) while getting the job done as quickly as possible with the least disruption to local community services. So...

IF the City and Alloy succeed in procuring the land between the canal and Nevins, from Degraw to Butler without the use of eminent domain and can locate a satisfactory vacant lot to use as a staging area, I would love to see Alloy donating '**Open Space**' land to supplement the Thomas Greene Park as a part of their bargain with the city to allow them to construct **low rise** manufacturing buildings behind the head house over the proposed CSO tanks.

If there is some way that this project could be precede the remediation work to be done under the pools and the basketball, skateboard, and handball courts, so that new permanent facilities are operational on the donated property BEFORE the park land is dug up (as opposed to the questionable activity of building decent temporary facilities for only 4 years, then rebuilding the permanent facilities). Seems like the Parks Department should weigh in on this?

It would be wonderful to make certain that the current playground and all those beautiful old sycamores are spared from destruction, along with the old trees running parkside on Douglas between 3rd Ave. and Nevins.

Dreaming even more deeply, it would also be so nice to preserve the historic old brick Sanitation building on the corner of Baltic and Nevins, perhaps building the new Head House behind it (it's very narrow)



I know you're only charged with cleaning up the contaminated soil continuing to poison the canal (and that's quite a job!), so I guess I'm using your call for comments as a motivator to get my own wishes down on paper and figure out who else I should be talking with to save what I love here. Any suggestions would be most welcome, and thanks for providing this forum.

All the best-
Peter

Peter Reich
280 Nevins Street
Brooklyn, NY 11217

CITY OF NEW YORK
DEPARTMENT OF SANITATION
CO. 11111 11111

SANITATION REPAIRS INC.
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THOMAS GREENE
PLAYGROUND



From: [Mugdan, Walter](#)
To: [Singerman, Joel](#); [Carr, Brian](#)
Subject: FW: CSI tanks at 234 Butler Street
Date: Thursday, June 02, 2016 8:08:53 AM

From: Al Tagliavia [mailto:TagliaviaLLC@optonline.net]
Sent: Tuesday, May 31, 2016 3:21 PM
To: Mugdan, Walter <Mugdan.Walter@epa.gov>
Subject: CSI tanks at 234 Butler Street

Dear Mr. Mugdan:

I write in regards to the proposed siting of the Gowanus Canal CSO tanks at 234 Butler and [242 Nevins Street](#) (collectively known as the “Head End Sites”). Along with my brother Salvatore Tagliavia, I am the owner of [234 Butler Street](#). The property has been in my family for decades, and my family is devastated at the possibility of losing our land to eminent domain, especially when such a strong alternative exists.

While we strongly support the EPA's efforts to remediate the Gowanus Canal, we feel the proposed location of the CSO tanks at the Head End Sites is not ideal, threatening to slow down the cleanup and cost significantly more than the alternative.

Working with Alloy Development and our neighbor at 242 Nevins, we have committed to donate approximately one acre of canal-fronting land to the City to serve as interim and permanent replacement parkland in exchange for avoiding eminent domain. This additional parkland would serve as interim open space while Thomas Greene Park is remediated and permanent parkland once construction is complete.

Given EPA staff's steadfast preference for locating the tanks in Thomas Greene Park, and our proposed donation of parkland, which solves the open space issues associated with that siting, we are confused why the EPA is not proceeding with its original plan. While collaboration with PRPs is a reasonable goal, it should not come at the expense of a timely, comprehensive cleanup. The proposed administrative settlement agreement promises to delay the cleanup and potentially compromise the remedy, while failing to address the need for interim open space during the remediation of Thomas Greene Park.

Our approach has broad community support, would save the City approximately \$100M in acquisition expense, save approximately 3 to 5 years of unnecessary delay, add much needed park space to the neighborhood, and bring hundreds of new jobs to Gowanus.

We urge the EPA to reconsider the proposed siting. Siting the tanks in Thomas Greene Park (EPA's stated preferred solution) is a better solution and will result in a faster, more cost effective cleanup of the canal. Our proposed donation of new parkland will offset any temporary or permanent loss of parkland and represents a better open space plan for the neighborhood.

Thank you for your continued support of the Gowanus Canal cleanup. We look forward to the

continued collaboration.

Sincerely,

Alfonso Tagliavia
226 Nevins Street Corp.

From: [Mugdan, Walter](#)
To: [Singerman, Joel](#); [Carr, Brian](#)
Subject: FW: Eastern Effects, Inc Response to EPA Comment Period
Date: Thursday, June 02, 2016 8:11:21 AM
Attachments: [Eastern Effects Final Response to EPA Comment Period.pdf](#)

From: Ashley Thompson [mailto:ashley@capalino.com]
Sent: Tuesday, May 31, 2016 10:18 PM
To: Mugdan, Walter <Mugdan.Walter@epa.gov>
Cc: Scott Levy <Scott@easterneffects.com>
Subject: Eastern Effects, Inc Response to EPA Comment Period

Mr. Mugdan,

On behalf of Scott Levy and Eastern Effects, Inc., please see the attached response to the EPA comment period regarding the siting of CSO storage tanks and temporary staging location.

Sincerely,

Ashley Thompson
Vice President

Capalino+Company

The Woolworth Building
233 Broadway, Suite 710
New York, NY 10279

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Capalino+Company is the #1 ranked lobbying firm in New York City.

RESPONSE TO EPA COMMENT PERIOD ON THE ADMINISTRATIVE SETTLEMENT
AGREEMENT AND ORDER FOR REMEDIAL DESIGN, REMOVAL ACTION AND COST
RECOVERY

Walter Mugdan
U.S. EPA Region 2 - Superfund Director
290 Broadway, 19th Floor
New York, N.Y. 10007

May 31, 2016

Dear Walter Mugdan:

My name is Scott Levy and I am the Founder and President of Eastern Effects, Inc. in Brooklyn, NY. Eastern Effects, Inc. leases property at 270 Nevins Street for our flagship production studio. I am writing to you regarding the proposed “Administrative Settlement Agreement and Order for Remedial Design, Removal Action and Cost Recovery” related to the siting and temporary staging area for the larger of the two Combined Sewer Overflow (“CSO”) retention tanks. In this letter, I will describe our company’s reasons for requesting that the temporary staging area be located at another site in order to save our studio and the jobs that it supports.

Background on Eastern Effects, Inc.

My business, Eastern Effects, Inc., has been in the Gowanus area of Brooklyn since 1999, when I founded the company. I came to this area specifically to make a difference in the underserved independent film market. My main business began as location lighting equipment rentals serving New York City’s ever expanding film and television industry. I was one person with a single truck and a small, 1,000 square foot warehouse trying to provide services to independent film and television productions who were not being attended to with high quality equipment and outstanding customer service that they needed. I spent many years working hard to grow the business, eventually bringing all the things that I committed to the industry, including high-quality equipment and customer service, to fruition. My customer base grew steadily and in turn, my staff size followed suit. In 2006, we expanded our services to include Production & Post Production Office Rentals at our new 23,500 square foot facility along the Gowanus Canal. All aspects of our company were expanding and it was time to make my life-long dream of building film and television studios in New York City a reality.

We searched all of Brooklyn for over four years in order to find a viable facility that we could convert into a studio. In 2009, a building diagonally across the canal from us became available for lease. After six months of negotiations, we signed a 20-year lease and began the complex process of transforming the facility

from a scarcely used warehouse into a full-fledged, New York State Level 2 Certified film and television studio.

The construction process was time, cost and labor intensive; we were faced with a variety of complicated setbacks, from construction delays to cost overruns. After three years and over \$5,000,000, the studios were completed.

The completion of the studio could not have come at a better time for New York City's growing film and television production industry. The demand for Level 2 Certified studio space—a requirement for productions receiving New York State tax credits—in the five boroughs exceeds demand, as the number of series produced in New York City has doubled since 2013 alone. Upon completing the facility, we immediately took in a full scale television series titled “The Americans,” which is produced for FX Network by Fox Television / 20th Century Fox Studios. We believe that both the quality and location of our studio space allowed us to gain a production of this prominence upon completion of the studio. “The Americans” brought in two hundred employees, from writers to production assistants, set designers, wardrobe assistants, and lighting and sound technicians. These jobs are full-time, the majority are union, and the local economy has benefitted from vending food and supplies to these employees.

Soon after “The Americans” moved into our studio, Hurricane Sandy hit and completely disrupted our business, causing significant physical damage to our newly constructed facility. It was devastating. We struggled just like many New Yorkers at that time, spending \$100,000 to repair the 270 Nevins Street facilities, which was severely damaged from the floods. “The Americans” gave us two weeks to restore the space for their production, and because of the hard work of our employees, we were able to meet that deadline and retain the show.

We have been tenants on the Gowanus Canal for over 10 years and a tenant in this area of Brooklyn for 17 years. I have dedicated myself, my career, and my business to this community and this part of our City. We are proud to continue our support of the local organizations including Brooklyn Workforce Innovations, the Made in NY PA Training Program, Brooklyn College, Scenarios USA, Women's Press Collective, Rooftop Films, and many other important organizations. Our customers as well as Eastern Effects, Inc. fuel many local businesses. We have a long future ahead that will benefit the community and continue to support the New York City film and television industry.

Currently the demand for film and television studios is at a fever pitch. As a Level 2 Stage, on average we get calls every single day for film and television studio rentals. We speak with the Governor's Office of Motion Picture and Television Development on a regular basis and they inform us routinely that the demand for studios is significantly higher than the supply that is currently available - even with

Eastern Effect's studios being intact. If they cannot find enough space, these productions will turn to other cities.

Current Employment

270 Nevins Street supports over 230 quality jobs. We currently have 31 full-time employees at Eastern Effects and we are continuing to grow. The Gowanus Studio Campus, made up of three properties including 270 Nevins Street, 210 Douglass Street, and 517 DeGraw Street, currently makes up more than 50% of our total annual revenues at Eastern Effects, Inc. 270 Nevins St. is our flagship studio and is the key property to our entire business. "The Americans" operates with more than 200 union crew members out of 270 Nevins Street. The Unions represented onsite are: the International Alliance of Theatrical Stage Employees, Moving Picture Technicians, Artists and Allied Crafts of the United States (IATSE) Local 600 – 52 – 817 – 700 – 161 – 829 – 764 – 798, Writer's Guild of America (WGA), Director's Guild of America (DGA) and Screen Actors Guild of America SAG, and American Federation of Television and Radio Artists (AFTRA). Without the 270 Nevins Street studios, we cannot accommodate the demands of large-scale shows such as "The Americans" or other similar productions. Without the 270 Nevins Street studios, we would lose jobs now and eliminate the potential for future job creation in Brooklyn.

Use of Eminent Domain

We did not anticipate that our 20-year lease, all of the time, money and hard work which we so tirelessly put into the property, and all of the jobs supported by the facility would ever be in jeopardy due to the exercising of eminent domain. In this regard, pursuant to the terms of our lease at 270 Nevins Street, Eastern Effects does not share in any of the proceeds provided by the City in payment for the taking of the fee interest in the property. In other words, we would not receive any compensation for the loss of our studio and investment in the property.

In addition, it is not feasible to move our studio business to another location considering the following reasons:

- Studio facilities require strong structural buildings made of concrete, brick, and steel in order to accommodate the demands of shooting crews. They hang lighting, electrical cable, grip gear, and sets from the roofs of these types of facilities. Additionally, these facilities house oversized HVAC systems to keep crews and actors on set cool during shooting under the heat of heavy lighting. The weight of these units and all of their sound attenuation devices for soundproof air condition add a lot of weight to the structure. Without a strong structural facility, studios aren't possible.
- Studio facilities require clear span spaces, without any columns, in order to meet the State's strict requirements for Level 2 Studios.

- At 270 Nevins Street, we spent over \$750,000 alone on removing two columns which prohibited us from meeting the State's Level 2 requirements.
- Studio facilities require tall ceilings. Our ceilings at 270 Nevins Street are over 20 feet tall and our lighting grid is fixed at 18 feet, which is 2 feet above the state's minimum requirements.
- Studio facilities require heavy industrial size power. Our current studio facility has 6,000 Amps of 3 Phase power, which provides a total of 18,000 Amps available to support productions -- another requirement of Level 2 Studios.
- Noise is always a factor and to meet the Noise Criteria rating of the State, as well as meet the demanding needs of customer's sensitive microphones. We cannot be located on top or directly near underground subways, above ground subways, high traffic areas, roadways with heavy trucking, or overhead plane routes, etc. This location satisfies all Noise Criteria concerns and is another challenge in siting any alternative property options.
- Studio facilities require some form of parking, and more is always better than less. At this campus, we have combined parking lots, which total 25,000 square feet. To find available lots to satisfy parking in the Brooklyn area is a challenge unto itself.
- This facility is supported by writer's offices, production offices, parking lots, and other stages which make up our "Campus," all within walking distance to one another (270 Nevins, 517 DeGraw St., and 210 Douglass Street are all clustered together along the Gowanus Canal).
- This location is in a desirable neighborhood with plentiful amounts of public transportation via subway and bus. We are also near major highways and in a great striking distance to Manhattan which productions value greatly. This extensive infrastructure and quality of location allows production crew members to get onsite as easily and in a neighborhood they want to work in and around.
- The cost of leasing property in this area is currently nearly three times the amount we currently pay for our existing lease. The burden of a property such as this, located in a sound safe environment, structurally strong enough, clear span, etc., is truly in its cost in today's market. The additional expense would be so great that it would make our business no longer viable.
- Construction and outfitting costs in today's economy are significantly higher than when we started construction back in 2009. Back then, we were recovering from a recession and construction was at an all time low cost. Installing a studio of the same size and caliber would require at least twice the expense as we originally invested.

I believe that the eminent domain legislation pursuant to which the City is exercising its eminent domain authority is not intended to permit the taking of a

property that will create a significant detriment to the community. In this regard, the legislation is clearly designed to benefit the public and inherent in the statute is the requirement that the City select a suitable property which will cause the least harm to the public interest. In this instance, there are three other sites which are either vacant or not in regular use and can fulfill the City's needs as well as 270 Nevins Street. I believe that the courts would agree and consider the City's use of our site to be in violation of the law. I believe that the EPA also accepts our interpretation of the law. For example, on page 8 of the Proposed Settlement Agreement, the EPA states that it has "...accepted Respondent's assertions that that location will minimize impacts to existing parkland, will provide additional open space in the community ...". This reference to the tank site (not the Eastern Effects property) shows the importance that EPA attaches to the need to minimize negative impacts when exercising the City's eminent domain authority.

The EPA specifically addressed the proposed use of Eastern Effects property as a staging site on page 7 of the December 21st, 2015 letter to Christopher King, Senior Counsel, Environmental Law, NYC Law Department, (Attachment 1) suggesting that Eastern Effect's site not be utilized since, in EPA's words, "**...there are commercially available workable, and considerably less expensive lease or sale options than the movie studio.**" I entirely agree with the EPA's assessment. There are alternative sites that achieve a greater public benefit and minimize the negative impact resulting from the closure of a productive movie studio that brings employment to the area and helps New York City to continue to be a factor in the business of making movies.

Alternate Sites

There are at least three alternative sites (see figure 1: Alternative Site Map, pg. 7) that can be utilized for the temporary construction staging area without displacing small businesses and jobs.

The first site, Alternative Site 1 (see figure 2: Alternative Site 1 Detail, pg. 7) is located on Nevins Street between Degraw Street and Butler Street (Block 412, Lots 1 and 6). Alternative Site 1 is equal in square footage to 270 Nevins Street and is located directly across Nevins Street from the tank storage site. As this section of Nevins Street is not highly trafficked, a temporary road closure during construction would allow easy access between the staging site and tank site without creating congestion. The site is currently for sale and is not in regular commercial use. This would make a contiguous site as preferred by the City.

Alternative Site 2 (see figure 3: Alternative Site 2 Detail, pg. 8) is located on Nevins Street between Degraw and Sackett Streets (Block 426, Lots 1 and 17), directly across from the Eastern Effects location. This site includes a vacant, one-story building and unimproved lot area. Combined, the building and the lot are of greater square footage than 270 Nevins Street. The building is currently available.

Alternative Site 3 (see figure 4: Alternative Site 3 Detail, pg. 8) is located on Nevins Street between Butler Street and Baltic Street (Block 406, Lot 1). It is a vacant, gravel parking lot owned by Consolidated Edison of New York. The lot sits diagonally across from the tank storage site, providing adequate access between the construction site and site 3 if used as a staging area.

It is unclear why any of these sites would not satisfy the City's requirements for a temporary construction staging area. None of these properties include buildings that are heavily used for commercial purposes, two sites are currently available on the market, all three sites would be less costly and easier for the City to acquire than 270 Nevins Street. We find it hard to believe that the D.E.P. has done the proper due diligence when eliminating other viable sites as staging options. With all due respect, the proposed use of 270 Nevins St. as a temporary staging site by displacing an active and viable business which supports the City's film and television industry, creates and sustains over 230 well paying jobs, and gives back to the surrounding community both directly and indirectly, does not appear to be a responsible use of eminent domain.

Sincerely,

Scott Levy
Founder and President
Eastern Effects, Inc.

Figure 1: Alternative Site Map

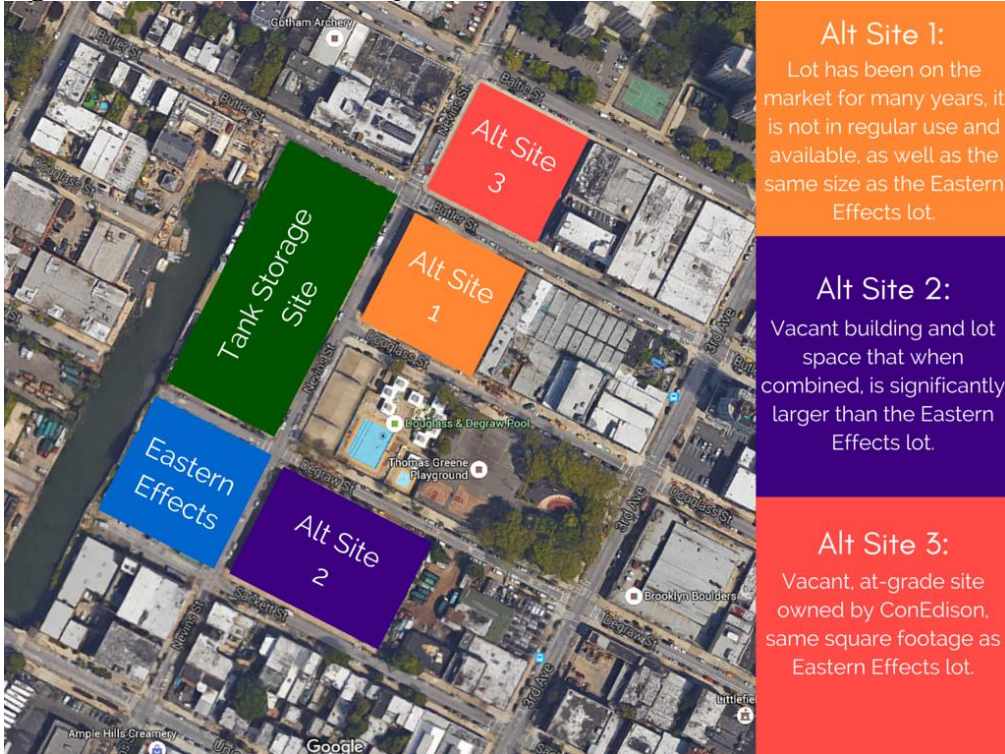


Figure 2: Alternative Site 1 Detail

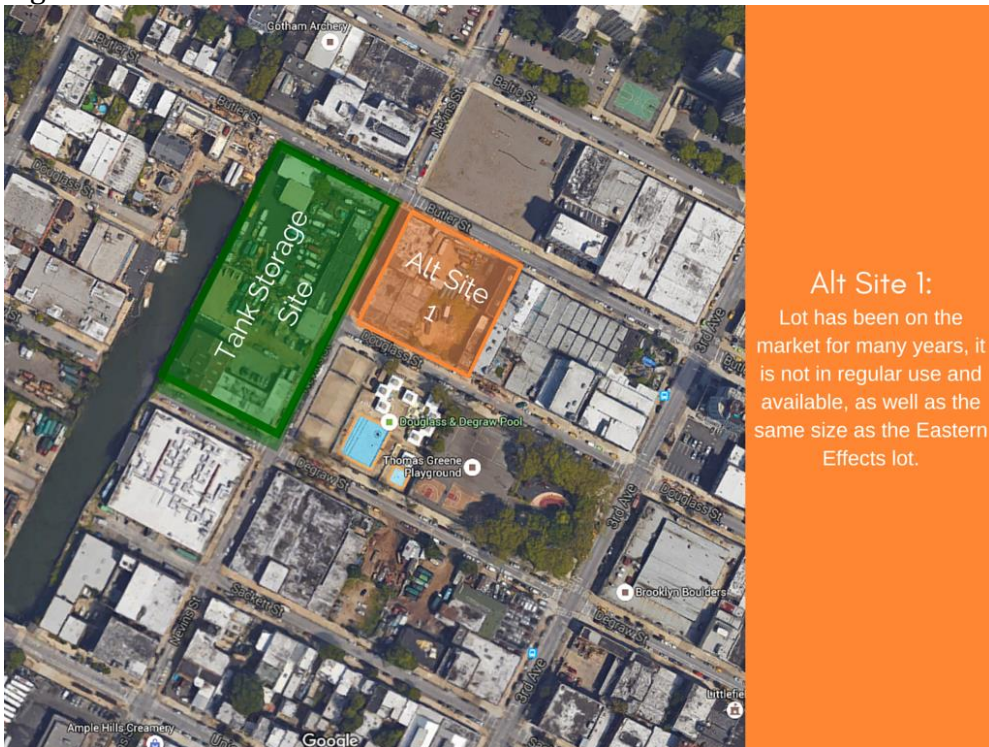
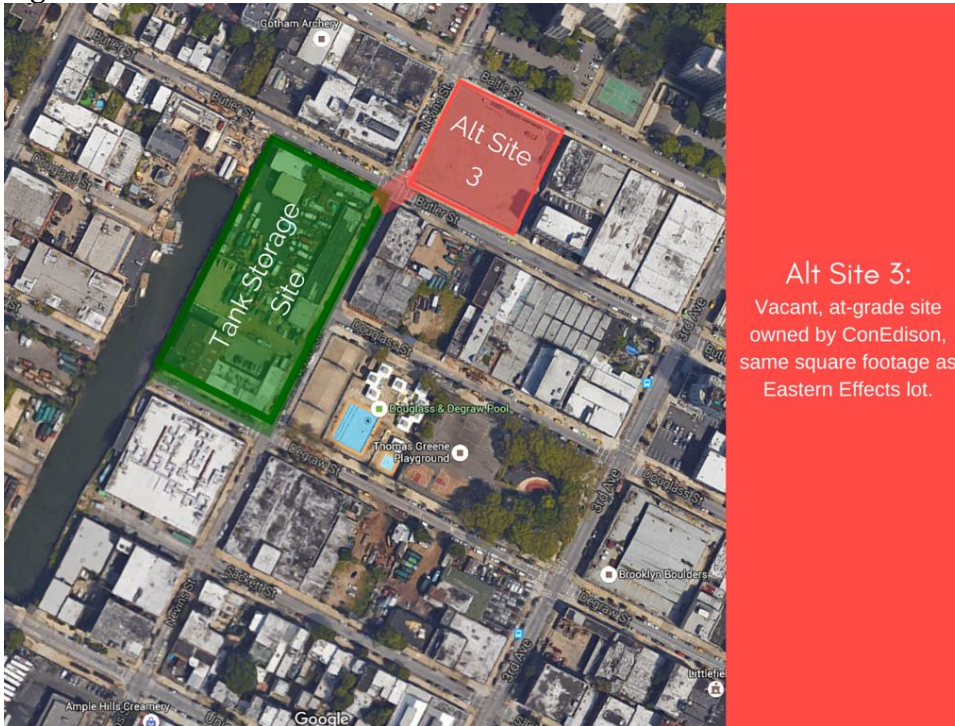


Figure 3: Alternative Site 2 Detail



Figure 4: Alternative Site 3 Detail





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION II

290 BROADWAY

NEW YORK, NEW YORK 10007-1866

Via Electronic Mail

December 21, 2015

Christopher King
Senior Counsel, Environmental Law
New York City Law Department
Office of the Corporation Counsel
100 Church Street
New York, NY 10007

Re: Gowanus Canal Superfund Site Remedial Design Settlement Agreement

Dear Mr. King,

As you know, at the last meeting between the City of New York (“City”) and the U.S. Environmental Protection Agency (“EPA”) regarding the draft Settlement Agreement and Settlement Agreement on Consent for Remedial Design, Removal Action and Cost Recovery (“Settlement Agreement”) for the RH-034 CSO retention tank, EPA indicated it would provide a revised Settlement Agreement draft to the City, which is enclosed.

In advance of our next meeting on December 29, 2015 this letter outlines some of the key revisions EPA has made to the Settlement Agreement, as well as our position on those threshold issues that, from EPA’s perspective, remain to be resolved.

Changes to the Draft Settlement Agreement

As you will see in the revised draft Settlement Agreement, EPA has modified the following areas:

Selection of the Canal-side Property: EPA has included language in the Settlement Agreement indicating that the CERCLA Settlement Agreement provides that the City shall acquire the Canal-side Property for the purpose of constructing the RH-034 tank, subject to certain conditions. EPA has eliminated language regarding its concerns with the Canal-side Property and preference for the Park Property. EPA has also made conforming changes in the Work section and the phrasing in the event of a future change of the selected site for this same purpose.

Dispute Resolution: EPA has included language expanding the bases for dispute resolution to include the 65% design report and an EPA decision to switch tank locations. In light of the City's November 10, 2015 submittal of the preliminary (30%) RD report for the Park Property under the EPA Administrative Order issued to the City on May 28, 2014, Index Number CERCLA-02-2014-2019 (the "RD UAO"), a report which the City was required to submit on June 30, 2015, as well as other information recently provided by the City, EPA anticipates holding a technical meeting with the City in early January to provide comments regarding the City's tank design. EPA's comments will need to be incorporated into the 30% design report and will not be eligible for dispute resolution under the Settlement Agreement.

Force Majeure: Consistent with our last meeting discussions, EPA has shortened the force majeure exclusions clauses regarding comptroller approval and the enumeration of city entities which could be viewed as related to the City's Uniform Land Use Review Procedures ("ULURP"). EPA also eliminated the provision relating to failure to timely obtain access for any properties other than the Canal-side Property. As discussed further below, this change is being made because access needed for other properties, including any staging area, will be achieved under the "best efforts" standard in Section XI of the draft Settlement Agreement. Under the draft Settlement Agreement provisions for access, EPA is prepared to take steps to obtain access or title, including for a staging area, if the City cannot after exercising best efforts.

Settlement Agreement Schedule: As requested, EPA is willing to allow the City an additional month to get comptroller approval for execution of the Settlement Agreement, but EPA has not made further changes to its original schedule. The anticipated technical meeting between EPA and the City, as well as EPA's preliminary design comments, noted above, will likely result in refinements to the design submission portion of the schedule.

The draft Settlement Agreement includes notations regarding EPA's responses to various of the City's suggested changes. In areas where the City made changes to EPA's draft Settlement Agreement and EPA has not included the requested changes, in general the issue was either addressed during our last discussions or EPA has determined that it is not prepared to make such a change, typically because EPA's language is model language for which there is no site-specific reason to modify the terms.

Unresolved Threshold Issues

EPA continues to have substantial concerns regarding a number of key issues that at the outset EPA identified to the City as required conditions for entering into the Settlement Agreement. These conditions stem from EPA's analysis that the use of the City's preferred tank location, the Canal-side Property, carries with it risks in the form of increased costs, technical implementability concerns, legal challenges, and delays in implementing the Site cleanup, risks which the City should bear.

Removal Action at Parcel VII

It has long been EPA's understanding that NYSDEC believes the Parcel VII sampling results indicate that coal tar is primarily present at depth, beneath petroleum contamination, which is not

attributable to National Grid and may be subject to the CERCLA petroleum exclusion. Based on EPA's recent discussions with NYSDEC, this remains the case.

As a result, EPA's technical comments to the City, both verbally and in writing, regarding its ranking of the two potential RH-034 tank locations under the UAO included a direction to the City to differentiate between soil cleanup and excavation work (and attendant costs) that the City would perform versus costs for excavation performed by National Grid as part of the former Fulton MGP cleanup. EPA had also previously noted to the City that it would be more difficult and more expensive to coordinate two separate parties excavating at the adjoining parcels.

The City's recent written response to EPA's last two comments on this issue has been that soil cleanup costs regardless of who is performing should be considered in ranking the two potential locations (the Park Property and the Canal-side Property), because someone will have to pay for it, and the City therefore declined to modify its draft siting report. See DEP's October 22, 2015 Response to EPA's May 7 and October 8, 2015 comments. As a result of these and other differences, EPA has not yet approved the City's September 30, 2014 draft tank site screening report, nor the City's June 30, 2015 draft Facility Site Recommendation report.

In recognition of the risk, created by the City's preference for the Canal-side Property, that the City will have to pay for cleanup of some or all of Parcel VII and deal with the necessary coordination with National Grid, EPA's negotiation conditions required that the City perform a removal action at Parcel VII unless National Grid is ordered to do so. EPA's opening draft of the Settlement Agreement incorporated this condition.

Despite this, at our November 13 meeting on the draft Settlement Agreement, the City suggested that EPA had previously assured the City that National Grid would be responsible for excavating the City's tank hole at either location. EPA's prior technical comments indicate otherwise. The City also stated that having two parties digging separately with separate contractors in the same area for the tank is clearly inefficient, costly and impractical. This was the point of EPA's prior technical comments, which the City has to date declined to address.

Following our November 13, 2015 meeting, the City submitted proposed comments on the Settlement Agreement on November 30, 2015, including this issue. The City's comments, however, placed responsibility for the Parcel VII removal action on National Grid. National Grid may not consent to an order with EPA for such work, particularly since there are potential issue related to the petroleum exclusion. Because this implicates EPA's enforcement authority relative to National Grid, the City's approach would shift the risk of delays associated with using the Canal-side Property to EPA, which EPA cannot accept. For these and other reasons, the City must either commit to cleanup all of Parcel VII or reach a separate agreement with National Grid.

At our December 4, 2015 meeting, the phrase "pay, perform or participate" was discussed as a way to address the City's request. The City also suggested that EPA could issue a determination of each party's share following the Pre-Design Investigation ("PDI"). EPA was advised two weeks ago by NYSDEC that NYSDEC has directed National Grid to submit a PDI plan for Parcel VII. While this may provide further information some months from now, the PDI is

unlikely to provide sufficient data for a complete estimate of waste volume shares. Cost shares would also be needed for the complicated design and engineering aspects of handing off a cleanup mid-stream, and liability issues related to implementing a complex cleanup would need to be addressed.

The word “participate” is not useful in addressing the options for how the City should fulfill its obligations for cleaning up Parcel VII. Instead, the revised draft Settlement Agreement states that the City must “pay for or perform” any removal action work at Parcel VII which National Grid is not required by NYSDEC or EPA to perform, and the City must coordinate and cooperate with any removal action work which National Grid agrees to, or is directed to, perform. This phrasing is intended to allow the City more flexibility in negotiating an arrangement with National Grid while remaining consistent with the original requirement that the City must address this risk. EPA intends to discuss with NYSDEC possible arrangements for reviewing the PDI data and determining the extent of coal tar-related excavation that National Grid would be required to perform.

EPA believes it is important to collectively discuss Parcel VII with the City and National Grid. National Grid has confirmed its availability to attend a portion of our upcoming December 29, 2015 meeting. We assume that the City is amenable to this proposal in order to advance a possible resolution of this key issue.

Eminent Domain Procedure Law and CERCLA

At our December 10, 2015 meeting, the City asked EPA to provide its analysis of the relationship between the New York State Eminent Domain Procedure Law (“EDPL”) and the Superfund law in the context of requested changes to the draft Settlement Agreement. The City has requested language in paragraphs 3, 7, 36 and 77 of the draft Settlement Agreement that provides for EPA to direct the City to acquire the Canal-side Property and Parcel I, the Eastern Effects movie studio, as well as language that evinces EPA’s agreement that such acquisition is exempt from the State Environmental Quality Review Act (“SEQRA”) and its City counterpart CEQR, as well as ULURP pursuant to CERCLA.

EPA has indicated to the City that CERCLA can preempt, for purposes of selecting sites for CERCLA response actions, SEQRA, CEQR, ULURP, and New York law regarding alienation of parkland. However, we are concerned about whether a court would agree that CERCLA preempts the procedural requirements of EDPL, which include compliance with CEQR and ULURP, when the City uses its eminent domain authority.

It is a well-settled area of the law that the siting and construction of facilities for a CERCLA remedy are controlled by various federal legal authorities which alter or supersede other federal, state and local legal requirements. These authorities are necessary to expedite cleanups by preventing administrative delays and state and local conflict of laws. As summarized briefly below, these authorities include both statutory and judicial case law such as the CERCLA Section 121(e)(1) CERCLA permit exemption, 42 U.S.C. § 9621(e)(1), the National Environmental Policy Act (“NEPA”) exemption, and the federal preemption doctrine.

Under the CERCLA permit exemption, a CERCLA response action need only comply with the substantive, but not procedural, requirements of applicable environmental laws. CERCLA Section 121(e) states: “No Federal, State, or local permit shall be required for the portion of any removal or remedial action conducted entirely onsite, where such remedial action is selected and carried out in compliance with this section.”

Regarding NEPA, EPA’s “Notice of Policy and Procedures for Voluntary Preparation of National Environmental Policy Act (NEPA) Documents” (63 Federal Register 209, page 58045) states in the Statement of Policy section: “EPA is also exempted from the procedural requirements of environmental laws, including NEPA, for Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) response actions. Courts also consistently have recognized that EPA procedures or environmental reviews under enabling legislation are functionally equivalent to the NEPA process and thus exempt from the procedural requirements of NEPA.”

Several federal cases establish that CERCLA as a federal law preempts certain legal provisions which are contrary to the authority Congress vested in EPA to implement CERCLA. In *U.S. v. City and County of Denver*, 100 F.3d 1509 (10th Cir. 1996), the court ruled that Denver’s local zoning laws were deemed preempted by CERCLA when the city tried to use them to halt on-site remediation of a Superfund site. In *State of New Jersey v. Gloucester*, 2005 U.S. Dist. LEXIS 9061 (May 2005), the court ruled that a state statute affecting discharges was preempted by federal law.

Here, the City asserts that CERCLA preempts the CEQR and ULURP provisions of the EDPL. As you are aware, EPA has not taken a position on the interplay of CERCLA and eminent domain because EPA had previously assumed the use of City property for the tank portion of the Site remedy.

We do not believe the legal analysis for the taking of property under eminent domain is the same as implementing a CERCLA remedy. In essence, constitutional issues like taking private property for public use will likely receive a far higher level of judicial scrutiny than remedy implementation.

Congress addressed the relationship between CERCLA and federal eminent domain law in Section 104(j), which, on its face, shows no indication of an intent to preempt takings law with CERCLA. To effectuate eminent domain for a CERCLA remedy, EPA must comply with all of the legal requirements set forth in the various applicable laws, including the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, 42 U.S.C §4601, *et seq.*

Based on our informal consultation with the U.S. Department of Justice, the case law most closely on point appears to be a recent New Jersey federal district court case involving the state and the U.S. Army Corps of Engineers. In *Margate City v. U.S. Army Corps of Engineers*, 1:14-CV-07303-RMB-JS (slip opinion, attached), New Jersey issued executive orders in an effort to circumvent the public use finding procedures of state eminent domain law in order to obtain federal beach restoration. The court ruled that the Takings Clause of the Fifth Amendment, made applicable to the States through the Fourteenth Amendment, precluded the state from

ordering the taking of property without following the due process provided by state eminent domain law:

Defendants sidestep Plaintiffs' due process claim and focus instead on compensation, repeating the mantra that Plaintiffs will be fully compensated in a later condemnation proceeding. As discussed below, Defendants' reliance on the compensation prong of the Takings Clause is misplaced. *Id.* at 14-15.

...The Second Circuit's decision in *Brody* is instructive. Much like Defendants here, the municipality in *Brody* argued that the adjudicative nature of a just compensation determination triggered the full panoply of due process rights. The public use determination, the municipality argued, was essentially a legislative decision not subject to the requirements of due process. The Second Circuit disagreed, explaining that the issue is whether due process attaches to a proceeding established to allow aggrieved persons to assert a constitutionally prescribed limitation on a legislative action, i.e., the review procedure for challenging a public use determination made pursuant to New York's Eminent Domain Procedure Law. Although the municipality argued that its almost unfettered ability to make a public use determination rendered the procedures for challenging such determination immune from due process constraints, the Second Circuit disagreed. Such argument, it held, is contrary to the long-settled rule that "at a minimum,...persons forced to settle their claims of right and duty through the judicial process must be given a meaningful opportunity to be heard." (quoting *Boddie v. Connecticut*, 401 U.S. 371 (1971)). *Id.* at 16.

It is our understanding that the EDPL requires a review of the specific property to be acquired, and not a generalized assessment, as part of the public use review, which includes the "hard look" required under CEQR. We note that the Gowanus ROD did not include an evaluation of the use of the Canal-side Property for the RH-034 tank location.

As a result, we believe that if the City were to be in litigation over its taking of the Canal-side Property, there is a strong potential for a state court judge to rule that CERCLA does not preempt state takings law, and that the City must comply with the EDPL. This would further impact the design and cleanup schedule for this Site. We believe that a court could also conclude that if EPA wants to take property under CERCLA it must use federal eminent domain authorities, rather than have the City use the EDPL. As you are aware, however, EPA has indicated that it does not intend to exercise federal eminent domain with respect to the Canal-side Property.

When I spoke with you about the takings issues several months ago, you indicated that the City was not sure how the Canal-side Property acquisition would work under the EDPL, and that federal eminent domain may be needed. Several weeks later, the City indicated a different viewpoint in a meeting with EPA, that the process should involve the City's use of eminent domain which could be accelerated through CERCLA exemptions.

Although the City has proposed to change the Settlement Agreement to state that EPA would intervene on its behalf in litigation challenging the taking, as we discussed at our last meeting: 1) we are concerned about negative precedent regarding our CERCLA authorities if we took

such a position, 2) the U.S. Department of Justice will not formally opine in advance of an actual controversy, and 3) EPA is willing to reserve its rights to advocate on behalf of the City. As a result, we have changed the language that the City proposed to reflect that EPA believes the City must assume the risks of its position regarding the process for taking of private property.

On a related matter, EPA's initial draft of the Settlement Agreement included an exclusion from force majeure claims by the City for delays due to eminent domain litigation. This exclusion was, again, among EPA's negotiation conditions. The City has proposed to remove this provision from the draft Settlement Agreement, citing uncertainty. The City suggested at our last meeting that "best efforts" is the controlling standard. Best efforts is not the applicable standard, in our view. Rather, the City is committing to achieve a result within a set time.

Regarding that time, EPA provided a draft schedule requiring the City to conclude any litigation within 2 years after its Condemnation Determination and Finding, the likely scenario advanced by the City. EPA does not wish to risk any potential cleanup delays beyond that time period. EPA based this timeframe on the prior City presentations. Although the City has proposed increasing this timeframe, the allotted time period is important in Settlement Agreement to prevent recontamination of dredged areas.

The City request for additional time to complete its eminent domain process along with its proposed force majeure edits would potentially allow an indeterminate number of years for the acquisition process (thus also delaying the cleanup of those parcels after acquisition). As EPA has noted in our discussions, if it appears that the City is close to completing its acquisition at the end of the two years, the draft Settlement Agreement does allow EPA to potentially extend the schedule.

Selection of a Staging Area

The City would like EPA to direct it to use a specific property for the staging area for the tank construction. EPA is not currently prepared to select the staging area prior to finalizing the Settlement Agreement. The City has not yet provided any documents to EPA to support making such a selection. At our last meeting, the City offered to provide a technical document supporting its position that Parcel 1, the Eastern Effects movie studio, is the appropriate staging area. EPA will review that upon receipt.

Presently, EPA understands that there are commercially available, workable and considerably less expensive lease or sale options than the movie studio. EPA believes that this issue is not on the same critical path as the tank location. National Grid will require a staging area for any cleanup work it will perform for the Park Property, which EPA expects may be in advance of the City's acquisition of the Canal-side Property. We encourage the City to work with National Grid to take over any National Grid staging area. EPA also believes that the cleanup, tank design and tank construction can be accomplished in a shorter time than the City has projected, for reasons we expect to discuss in the upcoming technical session. As a result, we also believe that a lease rather than a fee acquisition may be possible. Because no decision has yet been made, the draft Settlement Agreement reflects EPA's willingness assist in this portion of the access and acquisition process after the City's use of best efforts.

Oversight Cost Reimbursement

As a condition to negotiation, EPA is requiring the City to reimburse EPA's RD oversight costs relating to that part of the RD being performed by the City, regardless of the enforcement instrument. For expediency, EPA has agreed with the City's preference to only convert part of the RD UAO issued to the City. However, EPA believes that it is necessary and appropriate for the City to reimburse all of EPA's City-related RD oversight costs in this Settlement Agreement. The City has proposed to remove this provision from the draft Settlement Agreement. At our last meeting, EPA indicated, among other things, that EPA should not lose out financially based on agreeing to this unusual bifurcation and that it would be impractical and more costly to separately parse the cost of reviewing the many design elements that are common to both CSO retention tanks, which would be under separate orders. Consequently, we have not agreed to this change in the Settlement Agreement.

Challenges to the ROD

EPA's negotiation conditions included requiring the City to waive any challenges to the September 2013 ROD. Although the City expressed concern about this condition from the outset, it remains a threshold condition for EPA. This is true for a number of reasons.

The Gowanus Canal Superfund Site is a nationally significant matter, and a settlement memorializing the City's preferred tank location carries with it potentially precedential effect. The City has requested that EPA convert the bulk of the UAO into a consent order, something EPA rarely does. Such a conversion is made all the more unusual given the fact that the City has not complied fully with the UAO.

The City has stated on numerous occasions to the public and EPA that the City is committed to constructing the CSO retention tanks, noting that its opposition to the ROD was tied to the prior administration. Despite the City's public affirmations, during our Settlement Agreement negotiations, the City has expressed its desire to reserve its right to challenge EPA's selection of the Remedial Goals ("RGs") which set the limit for re-contamination of the Canal and are, in turn, a major basis for EPA requiring the construction of retention tanks.

Although EPA is confident that the City would be unsuccessful were it to challenge the ROD, particularly given the City's extensive involvement during the development of the ROD, it would be imprudent for EPA to fail to resolve a low risk City challenge that could nonetheless significantly delay the project while increasing costs. In response to the City's own timing concerns, EPA publicly committed to expediting the cleanup of this Site, a commitment which the public, including property owners and redevelopers along the Canal who are investing millions in related cleanups, is relying on.

Finally, and most importantly, EPA has yet to approve the City's preliminary RD and siting recommendation reports in part because they include estimated CSO retention tank-related costs that are significantly greater than EPA's ROD estimate. The City's estimates are, in fact, greater than the entire estimated cost of the ROD. EPA disagrees with the City's proposed tank design approach and the associated cost estimates.

EPA's standard model waiver language for a consent order would prevent the City from challenging the work under that order, which in this case would EPA's decision to allow the City to deviate from a major cost assumption of the ROD (i.e., that City property, specifically Thomas Greene Park, would be used for the RH-034 tank). The broader remedy challenge waiver in EPA's draft Settlement Agreement includes two further components.

First, EPA is seeking for the City to waive its rights to challenge the actual construction of the tanks. EPA believes that this is fully justified because, having agreed to authorize the City's request to spend some \$150 million or more for the tank design, cleanup and Canal-side Property acquisition, EPA needs to ensure itself, the public and other stakeholders, including other potentially responsible parties, that the City will in fact complete construction of the tanks. There are also many other unresolved tank design-related cost issues potentially involving hundreds of millions of dollars. If EPA does not reach agreement through a consent decree for the City to construct the tanks and must unilaterally order the City do so, the City would have the right to challenge EPA's order and seek reimbursement for the City's costs. EPA cannot expose the federal government and the public fisc to potential claims exceeding half a billion dollars, created by the City's disagreements with EPA on the most effective and expeditious cleanup approach.

Second, a complete waiver of challenges to the ROD would prevent the City from challenging the dredging and capping components. The City has expressed no interest in challenging this portion of the remedy, so there should be little objection to waiving this. If EPA only required the City to waive challenges to the retention tank portion of the ROD, the City could still challenge the dredging portion of the ROD and create the same exact cleanup delays and cost impacts. Preventing any unacceptable cleanup delays is the single most important condition to EPA's negotiation of this Settlement Agreement.

Next Steps

EPA looks forward to discussing the revised draft Settlement Agreement at our December 29th meeting, and to discussing workable resolutions to the issues which are still outstanding.

Sincerely,



Brian E. Carr
Assistant Regional Counsel

cc: Rob Fox, Esq.

fox21 television studios

10351 SANTA MONICA BLVD. – SUITE 300 - LOS ANGELES, CALIFORNIA 90025

May 31, 2016

VIA E-MAIL

Mugdan.Walter@epa.gov

Walter Mugdan
U.S. EPA Region 2- Superfund Director
290 Broadway, 19th Floor
New York, N.Y. 1007

Re: Eastern Effects– Letter of Support

Dear Walter:

For the past four years, Eastern Effects has provided "The Americans" with a home in a city where studio space is increasingly hard to come by. While we cannot opine on the EPA's ruling with respect to the issue at hand, we can substantiate the importance of Eastern Effects to New York's film and television production activity. Unfortunately, we find ourselves at a time in which the demand for filming facilities in and around the New York City area is substantially greater than the supply. Losing the production space at Eastern Effects would almost certainly equate to the loss of at least one major film or television production from the New York City area. Gone with that production are the hundreds of jobs that it brings and millions of dollars in revenue for the city. As a studio keen on bringing production activity to the New York area, we hope that Eastern Effects will continue to exist as a reliable and outstanding filming facility for many years to come.

Sincerely,

Fox21 Television Studios

VELMANETTE MONTGOMERY
25TH SENATE DISTRICT

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LEGISLATIVE OFFICE BUILDING
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PHONE (518) 455-3451
FAX (518) 426-6854

DISTRICT OFFICE
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WEBSITE: MONTGOMERY.NYSENATE.GOV



THE SENATE
STATE OF NEW YORK
ALBANY

SECRETARY, SENATE DEMOCRATIC CONFERENCE
COMMITTEES:
CHILDREN & FAMILIES, RANKING MINORITY MEMBER
AGRICULTURE
CRIME VICTIMS, CRIME & CORRECTION
EDUCATION
FINANCE
HEALTH
RULES
SOCIAL SERVICES

May 31, 2016

Mr. Walter Mugdan
US EPA Region 2 – Superfund Director
290 Broadway, 19th Floor
New York, NY 10007

Dear Director Mugdan:

I write to you in opposition of the plan to place a construction staging area on the site of the Eastern Effects studio located in my State Senate district at 270 Nevins Street in Brooklyn.

Mr. Scott Levy, the Founder and President of this studio has invested millions of dollars to make his studio attractive to the entertainment industry. This studio makes New York City a viable place to produce film and television projects. I believe that the taking of private property through eminent domain and the shuttering of a successful business is inappropriate, especially when there are alternatives in the adjacent area that include underused and vacant buildings.

Eastern Effects is a business that contributes to the culture of our great nation and supports over 200 jobs with an expansion plan in place to bring even more employment opportunities to the Borough of Brooklyn.

I urge you to reject this plan as it would destroy an economic engine in our City.

Sincerely,

A handwritten signature in blue ink that reads "Velmanette Montgomery". The signature is fluid and cursive, with the first name being particularly prominent.

Senator Velmanette Montgomery
25th Senate District

cc: Elected Officials
Community Stakeholders

The Gowanus Canal Community

31 May 2016

sent via email and USPS

Walter Mugdan
U.S. EPA Region 2 - Superfund Director
290 Broadway, 19th Floor
New York, N.Y. 10007

To: Walter Mugdan

From: The Gowanus Canal Community

In response to the draft agreement between the United States Environmental Protection Agency and New York City's Department of Environmental Protection, the undersigned request that it be amended to guarantee that:

- a) no businesses are forced to involuntarily abandon or relocate their operations, either temporarily or permanently, as part of the retention tank installations, and
- b) that less economically disruptive options be sought to meet the needs for DEP construction staging in the vicinity of the retention tanks.

Supporting Statement

Eastern Effects, located at 270 Nevins Street, is a thriving film production studio that signed a 20-year lease in 2010. In order to qualify for New York State Film Production tax credits, they invested \$5 million to upgrade the former storage building to meet the requirements of a Qualified Production Facility for Level 2 Productions. Other locations in New York City that meet this requirement include the famed Steiner Studios and Radio City Music Hall.

Eastern Effects supports 200 full-time jobs in our community and has rented out its facilities to the highly successful television show, "The Americans," since 2012.

Eastern Effects is willing to accommodate in situ stabilization of coal tar beneath its building.

Eastern Effects is in the business of providing services to the television and film industry. It is not in the business of negotiating a financial settlement or fighting eminent domain if New York City or the federal government acquires its property.

Retaining businesses, such as Eastern Effects, in the Gowanus is critical for the long-term sustainability of a diverse, rich, and vibrant community.

Thank you in advance for consideration of our request.

31 May 2016

Respectfully submitted by:

Jerry Armer - Gowanus community
Paul Basile - Gowanus Alliance
David Briggs - Gowanus by Design
Diane Buxbaum - Local Resident and Conservation Chair Sierra Club, New York City Group
Justin Collins - Director of Strategic Partnerships & Development, Southwest Brooklyn
Industrial Development Corporation
Michelle de la Uz - Fifth Avenue Committee
Eymund Diegel - Gowanus resident
Marlene Donnelly and Benjamin Ellis - Gowanus community, local business owner, and
members of FROGG (Friends and Residents Of Greater Gowanus)
George Fiala - Gowanus community
Rafael Gomez Luna - Gowanus community
Katia Kelly - Gowanus community
Stephen Kondaks - Gowanus community
Honorable Stephen Levin, Council Member, District 33
Sayar Lonial - Gowanus community
Linda and Joseph Mariano - Gowanus community members and members of FROGG
(Friends and Residents Of Greater Gowanus)
Margaret Maugenest - Gowanus community
Eric McClure - Park Slope Neighbors
Rita Miller - Gowanus community and CORD Co-Founder
Lizzie Olesker & Blaise Corrigan - Gowanus community
Andrea Parker - Gowanus Canal Conservancy
Mike Racioppo - Gowanus community
Peter Reich - 280 Nevins Street Tenants
Triada Samaras - Gowanus community and CORD Co-Founder
Sue Wolfe - Gowanus community and Friends of Thomas Greene Park
Maryann Young - Gowanus community

Copies to:

Eric Adams, Brooklyn Borough President
Judith Enck, Region 2 E.P.A. Administrator
Honorable Kirsten Gillibrand, United States Senator, New York
Craig Hammerman, District Manager, Community Board 6
Honorable Brad Lander, Council Member, District 39
Emily Lloyd, Commissioner, Department of Environmental Protection
Gina McCarthy, U.S. E.P.A. Administrator
Julie Menin, Commissioner of the Mayor's Office of Media and Entertainment
Honorable Velmanette Montgomery, New York State Senator
Honorable Charles Schumer, United States Senator, New York

31 May 2016

Honorable Jo Anne Simon, Assemblymember, Assembly District 52
Maria Torres-Springer, President and CEO of the New York City Economic Development
Corporation
Honorable Nydia Velazquez, Congresswoman, NY 7th District
Office of the Mayor of New York City



Southwest Brooklyn Industrial Development Corporation
241 41st Street, Brooklyn, NY 11232 * Tel: 718-965-3100 * Fax: 718-577-5858* Web: www.sbidc.org

Walter Mugdan
U.S. EPA Region 2 - Superfund Director
290 Broadway, 19th Floor
New York, N.Y. 10007
mugdan.walter@epa.gov

May 26, 2016

To Whom It May Concern:

My name is David Meade, and I am the Executive Director of the Southwest Brooklyn Industrial Development Corporation (SBIDC), a local non-profit economic development organization that has served the industrial, manufacturing, and small businesses of the Southwest Brooklyn waterfront neighborhoods of Gowanus, Red Hook, and Sunset Park since 1978. Our organization is supported by a membership base of local small businesses, and we work to ensure that job-intensive industrial uses remain on a Brooklyn waterfront that has rapidly been lost to rising rents and non-industrial development – often in the form of luxury housing.

On behalf of SBIDC, I write in support of Eastern Effects, Inc., and their effort to prevent the loss of their Gowanus location to eminent domain as part of the Gowanus Canal cleanup effort. While we applaud the fact that both the City of New York and the Federal Government are committed to the cleanup of the Canal, which has remained dangerously polluted for far too long, we strongly urge these parties to consider an alternative, more appropriate site to use as a staging area for the construction of tanks for the project.

As noted by Eastern Effects, there are multiple vacant and/or underutilized sites adjacent to the tank site. Furthermore, the presence of Eastern Effects contributes to the presence of dozens of living-wage jobs in the neighborhood – both directly and indirectly. They are also a good neighbor to the surrounding community, working with local job training programs, as well as with SBIDC on a variety of efforts. Lastly, when Eastern Effects rented this property, they invested millions of dollars, with the intent of remaining in the neighborhood long-term and contributing to its economy. It would be deeply disappointing to see this investment be lost to eminent domain, while a vacant or underutilized lot nearby remained available.

If Eastern Effects' site is used for a staging area and ultimately redeveloped, there is a significant chance that such redevelopment will not be for a comparable industrial use. Instead, like many other Gowanus properties, yet another local business could be lost to luxury development. SBIDC joins with other local non-profit organizations, including Gowanus Alliance, to stand opposed to the taking of the Eastern

Effects site, and the likely resulting loss of dozens of good jobs in the Gowanus area. As longstanding members of the Southwest Brooklyn community and advocates of the working waterfront, we strongly urge the EPA and DEP to consider an alternative staging site as part of the Gowanus Canal Cleanup project.

Sincerely,

A handwritten signature in black ink that reads "David W. Meade". The signature is written in a cursive style with a large, looping initial "D".

David Meade

Executive Director, SBIDC

Paul Basile

President, Gowanus Alliance

A handwritten signature in black ink that reads "Paul Basile". The signature is written in a cursive style with a large, looping initial "P".



104 1ST PLACE
BROOKLYN, NY 11231-4601
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FAX: 646.403.9710

WWW.GOWANUS.ORG

To Whom It May Concern:

The Gowanus Canal Community Development Corporation throughout its thirty eight (38) years of existence has dedicated itself primarily to the twin issues of canal remediation and, as our name suggests, community development.

While the community resource of the Thomas Green Park/Douglas Degraw pool complex is, and should be protected, the Eastern Effects studio at 270 Nevins Street, which is slated to be used as a staging area for one of the EPA mandated the retention tanks, should also be protected. Like the park it too is of great community benefit. Not only do they film some of the best television programming at this location but more importantly this business is a source of good union jobs. Such employment gets harder to come by with each passing day.

Eastern Effects has invested 5 million dollars into the space and it is only into the 5th year of a 20 year lease. There needs to be an alternative solution in place before we begin tearing down this building jeopardizing 30 permanent jobs, and up to an additional 200 jobs when filming is taking place, Such a loss would be senseless.

Government should act quickly and forcefully to ensure that we don't protect one community benefit at the expense of another.

Michael Racioppo

Executive Director



May 31, 2016

Ms. Judith Enck
Regional Administrator, Region 2
U.S. Environmental Protection Agency
290 Broadway
New York, NY 10007

Subject: Eastern Effects Soundstage

Dear Regional Administrator Enck:

We at SAG-AFTRA are strongly opposed to the City's efforts to close Eastern Effects' soundstage at 270 Nevins Street. Eastern Effects, a film and television production studio adjacent to the Gowanus Canal, was recently notified by the City that it would be forced to cease operations and close in order for the property to be used as a temporary staging area for the construction of two combined sewage overflow (CSO) tanks required to clean up the canal.

As you may know, SAG-AFTRA represents approximately 160,000 actors, announcers, broadcast journalists, dancers, DJs, news writers, news editors, program hosts, puppeteers, recording artists, singers, stunt performers, voiceover artists and other media professionals. SAG-AFTRA members are the faces and voices that entertain and inform America and the world. With national offices in Los Angeles and New York, and local offices nationwide, SAG-AFTRA members work together to secure the strongest protections for media artists into the 21st century and beyond. The SAG-AFTRA New York Local represents members working in the state of New York (excluding broadcasters working in Buffalo and Rochester), as well as Northern New Jersey and Western Connecticut.

Losing its flagship soundstage will be devastating to Eastern Effects, and it will send ripples through our industry by signaling that productions are not welcome in New York City. By the City's own estimate, the film and television industry brings in \$9 billion to our local economy. The industry supports 109,000 full-time equivalent jobs, including those jobs that employ our members, and indirectly supports another 20,000 full-time equivalent jobs at caterers, location rentals, and other local suppliers.

Productions are clamoring to film in New York City. A record 52 scripted television series are being filmed in the City this year – double the number from 2013. If productions can't find adequate space within the five boroughs, they will quickly turn to other cities and take tens of thousands of jobs with them.

There are alternative locations nearby that are suitable for the construction staging that will not close small businesses and eliminate jobs. I urge you to consider those sites and keep jobs in Brooklyn.

Sincerely,



Jeffrey Paul Bennett
Executive Director, New York & Chief Deputy Counsel
SAG-AFTRA

cc: Mayor Bill de Blasio
Commissioner Julie Menin, Mayor's Office of Film and Television
Commissioner Emily Lloyd, Department of Environmental Protection
Congresswoman Nydia Velazquez
Brooklyn Borough President Eric Adams
State Senator Velmanette Montgomery
Assembly Member Jo Anne Simon
Council Member Stephen Levin
Council Member Brad Lander

Dear Regional Administrator Enck,

On behalf of the tenants at 280 Nevins Street, we write to express our concerns related to the proposed settlement agreement for the siting, design, and site prep for the RH-034 CSO Retention Tank. While we do not wish to debate the proposed location of the tanks, we have significant concerns about the proposed construction staging area, which is proposed to be located at 270 Nevins Street.

Eastern Effects, Inc., a film and television studio, currently leases the property at 270 Nevins Street; they are currently in the fifth year of a 20-year lease and have invested \$5 million to build the formerly vacant building into a state-of-the-art soundstage. Eastern Effects has always been a good neighbor, quickly resolving any issues between our building and production crews, and they have invested in Gowanus. In addition to the building at 270 Nevins, Eastern Effects has a campus of three other buildings in Gowanus that support television production, including editing suites, writing suites, equipment storage, and office space. These spaces support over 230 jobs, most of which are union, in our community. If the main soundstage is lost, Eastern Effects will not be able to sustain itself and we will lose good-paying jobs in the neighborhood.

There are alternative sites in the area that are more suitable for a temporary staging location. Not only will these sites not displace a thriving local business, they are not adjacent to a building with residential tenants. As neighbors, we believe that there needs to be additional considerations placed on the existing uses surrounding the tank site before a decision is made on the staging location.

We hope that the Environmental Protection Agency and the NYC Department of Environmental Protection will consider this request to find an alternative staging location.

Sincerely,

Peter Reich, Karen Gibbons, Anne Twitty, David Waitz, Fanni Kozek, Janice Everett, William Touchet, Denise Touchet, Margaret Maugenest, and David Schlegle for the 280 Nevins St. Tenants Association

Cc: Mayor Bill de Blasio

Commissioner Julie Menin, Mayor's Office of Film and Television
Commissioner Emily Lloyd, Department of Environmental Protection



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May 31, 2016

Dear Regional Administrator Judith Enck:

As the Managing Director of Rooftop Films, I am strongly opposed to the City's efforts to close Eastern Effects' soundstage at 270 Nevins Street. Eastern Effects, a film and television production studio adjacent to the Gowanus Canal, was recently notified by the City that it would be forced to cease operations and close in order for the property to be used as a temporary staging area for the construction of two combined sewage overflow (CSO) tanks required to clean up the canal.

As you may know, Rooftop Films is a nonprofit organization dedicated to engaging diverse communities by showing films in outdoor locations, producing new films, teaching filmmaking to young people, and providing low-cost equipment to young filmmakers. Our mission is to foster New York City's vibrant independent filmmaking community by providing the essential support systems and exposure for those who would otherwise have none.

Since 2010, Eastern Effects has provided a free equipment package to the winners of the Rooftop Filmmakers Fund Grant program. This program supports emerging filmmakers who have screened work at Rooftop Films a chance to grow as artists and produce new films. With Eastern Effects' support, we awarded over \$35,000 in cash grants and equipment and service grants valued at over \$100,000.

Losing its flagship soundstage will be devastating to Eastern Effects, and to our program. By the City's own estimate, the film and television industry brings in \$9 billion to our local economy. The industry supports 109,000 full-time equivalent jobs and indirectly supports another 20,000 full-time equivalent jobs at caterers, location rentals, and other local suppliers. If productions can't find adequate space within the five boroughs, they will quickly turn to other cities and take tens of thousands of jobs with them, including those that could be filled by our students.

Eastern Effects is a great example of a community-focused and socially responsible business. Because of their support, and access to space and equipment, Rooftop Films has been able to support the dreams of young filmmakers and capitalize on the growth of the industry.

There are alternative locations nearby that are suitable for the temporary construction staging that will not close small businesses, eliminate jobs and hurt programs that serve NYC's cultural community. I urge you to consider those sites.

Sincerely,

Genevieve DeLaurier
Managing Director | Rooftop Films

cc: Mayor Bill de Blasio
Commissioner Julie Menin, Mayor's Office of Film and Television
Commissioner Emily Lloyd, Department of Environmental Protection
Congresswoman Nydia Velazquez
Brooklyn Borough President Eric Adams
State Senator Velmanette Montgomery
Assembly Member Jo Anne Simon
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Nancy Savoca
Joel Schumacher
Rawson Marshall Thurber
Kinan Valdez
Eva Vives
Hannah Weyer
Ben Younger



SCENARIOS
Entertain • Engage • Educate

Dear Regional Administrator Judith Enck:

As the Director of Media Production of Scenarios USA, I am strongly opposed to the City's efforts to close Eastern Effects' soundstage at 270 Nevins Street. Eastern Effects, a film and television production studio adjacent to the Gowanus Canal, was recently notified by the City that it would be forced to cease operations and close in order for the property to be used as a temporary staging area for the construction of two combined sewage overflow (CSO) tanks required to clean up the canal.

As you may know, Scenarios USA is a national nonprofit organization based in Brooklyn that uses media, education and storytelling to support young people in controlling their own narratives and to promote healthy decision making.

Our New York programs have benefitted greatly from Eastern Effects' commitment to the community. We have been partnering with Eastern Effects since 2007, and they have generously donated equipment packages for our "Real Deal" film writing contest winners. Losing its flagship soundstage will be devastating to Eastern Effects, and to our program. By the City's own estimate, the film and television industry brings in \$9 billion to our local economy. The industry supports 109,000 full-time equivalent jobs and indirectly supports another 20,000 full-time equivalent jobs at caterers, location rentals, and other local suppliers. If productions can't find adequate space within the five boroughs, they will quickly turn to other cities and take tens of thousands of jobs with them, as well as the opportunities that Eastern Effects provides our students through their donations of equipment.

Eastern Effects is a great example of a community-focused and socially responsible business. Because of their support, Scenarios USA has succeeded in capitalizing on the growth of the industry to create opportunities for youth to leverage media to tell their stories.

There are alternative locations nearby that are suitable for the construction staging that will not close small businesses, eliminate jobs and hurt programs that support media education programs for youth. I urge you to consider those sites.

Sincerely,

Rob York
Director of Media Production and Distribution
Scenarios USA

cc: Mayor Bill de Blasio

Commissioner Julie Menin, Mayor's Office of Film and Television
Commissioner Emily Lloyd, Department of Environmental Protection
Congresswoman Nydia Velazquez
Brooklyn Borough President Eric Adams
State Senator Velmanette Montgomery
Assembly Member Jo Anne Simon
Council Member Stephen Levin
Council Member Brad Lander

Academy for Careers in



Television & Film

A NYC Department of Education Public High School

Dear Regional Administrator Judith Enck:

As a faculty member at the Academy for Careers in Television and Film, I am strongly opposed to the City's efforts to close Eastern Effects' soundstage at 270 Nevins Street. Eastern Effects, a film and television production studio adjacent to the Gowanus Canal, was recently notified by the City that it would be forced to cease operations and close in order for the property to be used as a temporary staging area for the construction of two combined sewage overflow (CSO) tanks required to clean up the canal.

As you may know, the Academy for Careers in Television and Film (ACTVF) is a New York City public school dedicated preparing students for higher education and professional opportunities in the field of video production. Through personalized instruction, industry internships, and hands-on learning experiences, our students develop the technical skills they need to pursue careers in the film and television industry.

Eastern Effects has been a vital partner, providing internship experiences for our students and donating equipment. Being integrated into New York City's growing film and television provides our students with a distinct advantage as they pursue careers in the field. Having a studio like Eastern Effects involved in our program allows our students to have hands-on learning experiences that prepare them for the future.

Losing its flagship soundstage will be devastating to Eastern Effects, and to our program. By the City's own estimate, the film and television industry brings in \$9 billion to our local economy. The industry supports 109,000 full-time equivalent jobs and indirectly supports another 20,000 full-time equivalent jobs at caterers, location rentals, and other local suppliers. If productions can't find adequate space within the five boroughs, they will quickly turn to other cities and take tens of thousands of jobs with them, including those that could be filled by our students.

Eastern Effects is a great example of a community-focused and socially responsible business. Because of their support and access to equipment, ACTVF has been able to support the dreams of young filmmakers and capitalize on the growth of the industry.

There are alternative locations nearby that are suitable for the temporary construction staging that will not close small businesses eliminate jobs and hurt programs that serve New York's cultural community. I urge you to consider those sites.

Sincerely,
Andy Lassman
Work Based Learning Coordinator
Production Teacher
Academy For Careers in Television and Film
1-50 51st Ave 4th floor
LIC, NY 11101
Ph. 718-609-3330

Academy for Careers in



Television & Film

A NYC Department of Education Public High School

cc: Mayor Bill de Blasio

Commissioner Julie Menin, Mayor's Office of Film and Television

Commissioner Emily Lloyd, Department of Environmental Protection

Congresswoman Nydia Velazquez

Brooklyn Borough President Eric Adams

State Senator Velmanette Montgomery

Assembly Member Jo Anne Simon

Council Member Stephen Levin

Council Member Brad Lander

Dear Regional Administrator Judith Enck:

As an employee in the film and television industry, I am strongly opposed to the City's efforts to close Eastern Effects' soundstage at 270 Nevins Street. Eastern Effects, a film and television production studio adjacent to the Gowanus Canal, was recently notified by the City that it would be forced to cease operations and close in order for the property to be used as a temporary staging area for the construction of two combined sewage overflow (CSO) tanks required to clean up the canal.

Losing its flagship soundstage will be devastating to Eastern Effects and it will send ripples through our industry by signaling that productions are not welcome in New York City. When productions film in New York City, they hire local residents like me. By the City's own estimate, the film and television industry brings in \$9 billion to our local economy. The industry supports 109,000 full-time equivalent jobs and indirectly supports another 20,000 full-time equivalent jobs at caterers, location rentals, and other local suppliers.

Productions are clamoring to film in New York City. A record 52 scripted television series are being filmed in the City this year—double the number from 2013. If productions can't find adequate space within the five boroughs, they will quickly turn to other cities and take tens of thousands of jobs with them.

Losing Eastern Effects' soundstage means that I will lose a part of my livelihood. There are alternative locations nearby that are suitable for the temporary construction staging that will not close small businesses and eliminate jobs. I urge you to consider those sites and keep my job, and so many others, in Brooklyn.

Sincerely,

cc: Mayor Bill de Blasio

Commissioner Julie Menin, Mayor's Office of Film and Television

Commissioner Emily Lloyd, Department of Environmental Protection

Congresswoman Nydia Velazquez

Brooklyn Borough President Eric Adams

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Lindsay Strott					11103
Daniel R Jusino	705 4th Avenue Apt 2	Danjusino@gmail.com	732-718-2205	Brooklyn New York	11232
Lia Pinckney					11221
Brian Lannin	325 Humboldt St. Apt 2			Brooklyn NY	11211
Brian Arnold	48 S. Oxford St #6	brian.steele.arnold@gmail.com	7168669874	Brooklyn NY	11217
Ben Glickstein					11215
Dina Goldman	111 Barrow Street	Dinagoldman@mac.com	2122429121	New york NY	10014
Paul kaye					11238
Lori Dinsmore	1174 Madison St #2	loriadinsmore@gmail.com	310-384-3536	Brooklyn NY	11221
Mary Boyle	164 7th Ave.				11215
Maria Lokken	115 West 30th Stre	maria@marialokken.com		New York NY	10013
David Arch	203 8th ave			Brooklyn NY	11215
valerie Ramshur	445 Gregory ave,	vmramshur@gmai.com		Weehawken NJ	7086
Kenneth Riemer	410 Woodland Ln	Ken@kenriemer.com	585-766-9420	Webster NY	14580
Kristopher Diehl	3426 34th St. #2	kjdiehl.mac@gmail.com	917.776.0869	Astoria NY	11106
Pete Konczal	570 Buckingham Dr	peterive9@aol.com	7324637075	Piscataway NJ	8854
Theresa Marth	5947 Carpenter avenue	tamarth@mac.com		valley village ca	91607
Corie Mandel					10530
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david rosen	21 1st st brooklyn 11231	rosenator@gmail.com			11231

Daniel Gay	4037 81st St Apt 2R	me@danielgay.com	7176765742	Elmhurst NY	11373
Brittany Ledgin	2631 riverside ave	Brittanyledgin@gmail.com	5167703030	Merrick Ny	11566
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Benjamin King	760 MacDonough St.	benjaminwcking@gmail.com	9788101089	Brooklyn NY	11233
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Colleen Frohlich	523 Dean St.	colmct@yahoo.com	9144502107	Brooklyn NY	11217
Keith Kasper					7834
Vadja M. Potenza	156 Fishing Trail	vajpotenza@gmail.com	917.887.5907	Stamford CT	6903

Dear Regional Administrator Judith Enck:

As a small business owner in Brooklyn, I am strongly opposed to the City's efforts to close Eastern Effects' soundstage at 270 Nevins Street. Eastern Effects, a film and television production studio adjacent to the Gowanus Canal, was recently notified by the City that it would be forced to cease operations and close in order for the property to be used as a temporary staging area for the construction of two combined sewage overflow (CSO) tanks required to clean up the canal.

Losing its flagship soundstage will be devastating to Eastern Effects and it will send ripples through our community, negatively affecting other small businesses. By the City's own estimate, the film and television industry brings in \$9 billion to our local economy. When productions film in New York City, they utilize small businesses like mine to support the film or television series. This provides my business with increased revenue that supports me and my employees.

In addition to the 230 direct jobs that would be lost at Eastern Effects, the loss of a significant soundstage would greatly impact my business and my employees. There are alternative locations nearby that are suitable for the temporary construction staging that will not close small businesses and eliminate jobs. I urge you to consider those sites and keep valuable jobs in Brooklyn.

Sincerely,

Cc: Mayor Bill de Blasio
Brooklyn Borough President Eric Adams
Congresswoman Nydia Velazquez
State Senator Velmanette Montgomery
Assembly Member Jo Anne Simon
Council Member Stephen Levin
Council Member Brad Lander

Full Name	Address	City	Company Name	Email	Phone	Zip Code
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Bruce C Jones Jr	99 9th Street	Brooklyn	Eastern Effects	bruce@easterneffects.com	7182466835	11215
Julie			Mulhearn	jules2889@gmail.com	6462588081	11217
Laura Gahrahmat			Eastern Effects, Inc.			11215
Colin Berg	187 Engert Ave. 3R	Brooklyn	Eastern Effects, INC	colinphoto@gmail.com	3478533579	11222
xiaoyong lin	900 grand st brooklyn	brooklyn	global team ny inc	globalteam123@gmail.com	7183841131	11211
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Chris Hayes	99 9th street	Brooklyn	Eastern Effects	Chris@easterneffects.com	718-855-1197	11215
ELIZABETH MINOT			ARTCUBE NYC LLC			11238
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Sandy Spadavecchia			Arete Indus.			11233
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Elizabeth Eames	556 72nd Street, 2nd	Brooklyn	CCC	liz@eeames.com	9176201525	11209
Thomas B. Dodd	119 Ingraham St. Suite	Brooklyn	Brooklyn Fire Proof Inc.	tbd@brooklynfireproof.com	917-971-8411	11237
riad deeb	310 van brunt st	brooklyn	industry light and grip inc	industry.lights@yahoo.com		11231
Bryan Wachtel	140 DEGRAW STREET	BROOKLYN	Van Power LLC	BRYAN@VANPOWERLLC.COM	3472928352	11231
Justin Whitkin			Eastern Effects, Inc.			11215
Adam Sober			Square Design Inc			11231
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Danna Feintuch	317 3rd Street	Brooklyn	Dannavision Inc.	Aswingkido@aol.com	646-773-6820	11215
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Michael Lane White	8576 Blackburn Dr	Westland	Impossiblefunky Productions	mwhite@impossiblefunky.com	7349682358	48185

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Jennifer Wolfe	26 Court Street	Brooklyn	Jennifer Wolfe, Psychotherapy	jennwolfe@gmail.com	917.686.4330	11242
Lindsey Bushong	8-16 43rd Ave.	Long Island	Brooklyn Studios	info@brooklynstudios.net	718 392 1007	11101
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sosie	248 court street	brooklyn	hublitz	sosie@wattyandmeg.com	3474204005	11201
Heather Craig			Friend Industries			11232

Dear Regional Administrator Judith Enck:

As a representative of a film production company in New York City, I am strongly opposed to the City's efforts to close Eastern Effects' soundstage at 270 Nevins Street. Eastern Effects, a film and television production studio adjacent to the Gowanus Canal, was recently notified by the City that it would be forced to cease operations and close in order for the property to be used as a temporary staging area for the construction of two combined sewage overflow (CSO) tanks required to clean up the canal.

Losing its flagship soundstage will be devastating to Eastern Effects and it will send ripples through our industry by signaling that productions are not welcome in New York City. By the City's own estimate, the film and television industry brings in \$9 billion to our local economy, supports 109,000 full-time equivalent jobs, and indirectly supports another 20,000 full-time equivalent jobs at caterers, location rentals, and other local suppliers.

It is becoming nearly impossible for companies like mine to find space to produce in New York City. A record 52 scripted television series—double the number from 2013—and 336 films were filmed in the City in 2015. However, the number of soundstages has not been able to keep pace with the overwhelming demand. I want to keep my business in New York City and utilize the immense talent pool that exists in our city, but without Eastern Effects, I may need to move my productions to other cities that have the facilities I need.

There are alternative locations nearby that are suitable for the temporary construction staging that will not force businesses like mine to leave New York City. I urge you to consider those sites and allow the local film and television industry to continue to thrive.

Sincerely,

cc: Mayor Bill de Blasio

Commissioner Julie Menin, Mayor's Office of Film and Television
Commissioner Emily Lloyd, Department of Environmental Protection
Congresswoman Nydia Velazquez
Brooklyn Borough President Eric Adams
State Senator Velmanette Montgomery
Assembly Member Jo Anne Simon
Council Member Stephen Levin
Council Member Brad Lander

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John B McMahon		Diversified US	1i4 21st street apt 5A	Brooklyn	11232
Chandler		Kauffman	78 8th Ave #2G	Brooklyn	11215
Devin Landin	Devinlandin@gmail.com	Various and Sundry Films	680 Prospect Pl. 3F	Brooklyn	11216
Jeremy Kipp Walker		Story Ink, Ltd.			11211
Elizabeth Kinder	beth@freemarketfilms.com	Free Market Films	79 Mercer St., 2nd floor	New York	10012
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Rebecca Dreyfus	rd13@earthlink.net	Persistence of Vision Films dba Snapdragon	183 Bainbridge St	Brooklyn	11233
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Jonathan Shoemaker	jshoemaker@gmail.com	Centre Street Film	301 West 108th Street, Ste 6A	New York	10025
Dustin Williams		2x4 Productions			11203

Jonathan Kells Phillips		Long Trick	360 Union St.	#D4	11231
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Timothy G Wainwright	timwainwright@mac.com	Icon Films	9 Grand Erie Way	Fairport	14450
Inbal		Weinberg			11238
robin I. schwalb		Eastern Effects			7921
David Gaddie		D			10012
Grey Zisser		Blonde and Co			10001
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Zachary Braff		Second Stix Films			10003
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Tiarrs Unamba		Made In New York	Brooklyn navy ysrd	Building 92	11205
Alicia	9177570303	Van Couvering	Dark Arts Film	63 Franklin St	11222
Daniel Mendoza	dmt1234@gmail.com	Retro Nomad Productions	184 Suydam St	Brooklyn	11221
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Melanie		Trombley			60618
pamela Hirsch		Naked City Films	122 Adelphi street		11205
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Bryant L. Carroll	bryant@triumvirateproductions.co	Triumvirate Productions	615 Flatbush Ave	Brooklyn	11225
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Grant	grantmg@hotmail.com	Greenberg	368 Broadway, #419	New York	10013
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Norma V Toraya	info@crankbunny.com	Crankbunny / lamstatic			10010
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Carol Ruthberg	carolruthberg@mac.com	Mt MELVIL/Bounce Films	129 2nd Avenue	New York	10003
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CHRISTOPHER DAVIAU	CHRIS.DAVIAU@VIACOMMIX.COM	MTV	1515 BROADWAY	NEW YORK	10036
Franklin Zitter	Franklin@frankenmelfilms.com	Frankenmel Films	762 Westminster Road	Brooklyn	11230
Sean Barth		Neighborhood Watch	181 N 11th Street Suite 304	Brooklyn	11211
Ben Cheah	sonictrash@mac.com	Sound House Corp	81 Downing Street	Brooklyn	11238

Dear Regional Administrator Judith Enck:

I am strongly opposed to the City's efforts to close Eastern Effects' soundstage at 270 Nevins Street. Eastern Effects, a film and television production studio adjacent to the Gowanus Canal, was recently notified by the City that it would be forced to cease operations and close in order for the property to be used as a temporary staging area for the construction of two combined sewage overflow (CSO) tanks required to clean up the canal.

Eastern Effects is a small, locally-owned business that is committed to growing in Brooklyn. In 2009, after years of searching, they identified 270 Nevins as the perfect location to build a state-of-the-art soundstage. After investing three years and \$5 million, they opened a New York State Level 2-certified soundstage and began attracting top productions, like the hit television series, "The Americans." A production campus has grown around 270 Nevins Street—editing suites, writing suites, equipment storage, and offices now occupy buildings on both sides of the canal. Today, the campus supports over 230 jobs, most of which are union.

By the City's own estimate, the film and television industry brings in \$9 billion to our local economy, supports 109,000 full-time equivalent jobs, and indirectly supports another 20,000 full-time equivalent jobs at caterers, location rentals, and other local suppliers. A record 52 scripted television series are being filmed in New York City – double the number from 2013. But it's becoming nearly impossible for productions to find adequate space in New York City. If they cannot find space, productions will turn to other cities, costing New York City jobs and valuable tax revenue.

There are alternative locations nearby that are suitable for the temporary construction staging that will not displace an active, thriving business and eliminate hundreds of jobs. I urge you to support Eastern Effects and to consider alternative sites.

Sincerely,

cc: Mayor Bill de Blasio

Commissioner Julie Menin, Mayor's Office of Film and Television
Commissioner Emily Lloyd, Department of Environmental Protection
Congresswoman Nydia Velazquez
Brooklyn Borough President Eric Adams
State Senator Velmanette Montgomery
Assembly Member Jo Anne Simon
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----- Forwarded message -----

From: rosen@men-of-science.com

Date: May 31, 2016 6:46 PM

Subject: Oppose Inclusion of Eastern Effects Site

To: muqdan.walter@epa.gov

Cc: Phil Warren <Phil@easterneffects.com>

Mr Muqdan-

My name is David Rosen and I am television executive producer in NYC. I create and produce shows, which in NYC, is no easy task, as there are never enough production facilities to go around. Many jobs go to Canada or stay on the West Coast because of this. And our community loses money and employment.

That is why I vehemently oppose the inclusion of the Eastern Effects site in the EPA/DEP agreement, as a staging site during the construction of a sewer tank. The building should remain a TV Film staging site, so long as the businesses owner holds a lease to operate there. I ask the EPA to eliminate any use of the Eastern Effects film studio site from the proposed agreement.

I live in Carroll Gardens and am thrilled the canal is being cleaned. But please pick a better staging area. Keep entertainment jobs in NYC.

Thank you,

David

From: **George Fiala** <gbrook8344@gmail.com>

Date: Tue, May 31, 2016 at 2:30 PM

Subject: Re: Agreement with NYC and EPA regarding Gowanus Retention Tank

To: mugdan.walter@epa.gov

I respectfully argue that an alternative location should be found for the staging area, no matter where the retention tank at the head of the gowanus ends up being situated.

I attach a copy of the story I have written for publication in the June 2016 edition of my newspaper - The Red Hook Star-Review, as well as some photos of the owner giving a tour of 270 Nevins Street, as well as a photo of one of the available properties surrounding the retention tank area that could be used for a staging area without causing displacement of an existing viable business.

Best,
George Fiala

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Red Hook Star-Review
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Brooklyn, NY 11231
718 624-5568
917 652-9128
www.star-review.com
www.selectmail.com

From: Frederic Gindrey [mailto:frederic@gindrey.com]
Sent: Thursday, May 26, 2016 2:41 PM
To: mugdan.walter@epa.gov
Cc: Phil Warren
Subject: Gowanus canal clean up / Eastern Effects

Dear Mr Mugdan

I oppose the inclusion of the Eastern Effects site in the EPA/DEP agreement, as a staging site during the construction of a sewer tank. The building should remain a TV Film staging site, so long as the businesses owner holds a lease to operate there. I ask the EPA to eliminate any use of the Eastern Effects film studio site from the proposed agreement.

Frederic Gindrey
(Carroll Gardens resident)

Dear Regional Administrator Judith Enck:

As a small business owner in Brooklyn, I am strongly opposed to the City's efforts to close Eastern Effects' soundstage at 270 Nevins Street. Eastern Effects, a film and television production studio adjacent to the Gowanus Canal, was recently notified by the City that it would be forced to cease operations and close in order for the property to be used as a temporary staging area for the construction of two combined sewage overflow (CSO) tanks required to clean up the canal.

Losing its flagship soundstage will be devastating to Eastern Effects and it will send ripples through our community, negatively affecting other small businesses. By the City's own estimate, the film and television industry brings in \$9 billion to our local economy. When productions film in New York City, they utilize small businesses like mine to support the film or television series. This provides my business with increased revenue that supports me and my employees.

In addition to the 230 direct jobs that would be lost at Eastern Effects, the loss of a significant soundstage would greatly impact my business and my employees. There are alternative locations nearby that are suitable for the temporary construction staging that will not close small businesses and eliminate jobs. I urge you to consider those sites and keep valuable jobs in Brooklyn.

Sincerely,

Steven HaGerman


Kate McGee
242 Nevins St
11217

Cc: Mayor Bill de Blasio
Brooklyn Borough President Eric Adams
Congresswoman Nydia Velazquez
State Senator Velmanette Montgomery
Assembly Member Jo Anne Simon
Council Member Stephen Levin
Council Member Brad Lander



SHOW NUMBER BDU499
 VENDOR LIST a/o 03/30/2016

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STAGE 1-4
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STAGE 5
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CITIBANK 375 Court St Brooklyn, NY 11217	(347) 756-4632 M-F - 9A-5P T-TH - 9A-5P S - 10A-2P

CAR SERVICES**Through Production Only**

EASTERN CAR SERVICE (718) 499-6227 Main
 222 15th St **FI# 20-582-3945**
 Brooklyn, NY 11215

PROMENADE
 151 Front St **FI# 41-213-4110** (718) 858-6666
 Brooklyn, NY 11201

CAST TRAVEL ONLY: **INTABORO** (718) 845-1111 Main
 88-19 101st Ave **FI# 11-234-5692** Account: AS210
 Ozone Park, NY 11416

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 72 Boyd St **FI# 20-3964-295**
 Staten Island, NY 10304
 Contact: Darryl

COFFEE/BEVERAGES

Writers Office: **US COFFEE** (800) 776 -2866 Toll Free
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 Contact: Robin Account Numbers
 Extension: 625 Prod Office: 18305
 Construction: 18359
 Costumes: 18784

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 Flagship Boutique 800-562-1465
 92 Prince Street M-SAT: 9A-9P
 New York, NY 10012 SUN: 9A-7P

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 138 Hope Street **FI# 13-405-7919** F: (212) 267-3376
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 Contact: Abdul

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 New York, NY 10003

ELECTRONICS

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 Brooklyn, NY 11217 11A-7P Sun

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150 Varick St, 2nd Fl **FI# 13-359-3063**
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Underwater Camera Equip: **Air Sea Land** (718) 626-2646
1969 Steinway Street **FI# 11-319-2040**
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Chicago, IL 60680 7A-6P M-F
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36-27 Vernon Blvd **FI# 43-200-2624** (718) 786-9591 Fax
Long Island City, NY 11106 8:30A-4:30P M-F

Fabric: **ROSE BRAND** (201) 809-1730
4 Emerson lane
Seaucus, NJ 07094

Grip: **EXPENDABLES PLUS** (718) 609-6464 Main
32 Eagle St. **FI# 11-32-47-905** (718) 609-6119 Fax
Brooklyn, NY 11222 7A-5P M-F

ROSEBRAND (201) 809-1730 Main
4 Emerson Lane **FI# 13-567-3261** (201) 809-1851 Fax
Secaucus, NJ 07094

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New York, NY 10019 8:30A-5:30P M-F
Contact: Adrienne Patsos 9A-1P Sat
apatsos@barbizon.com

ORTOV LIGHTING (718) 246-5555 Main
608 Union St **FI# 113-233-932**
Brooklyn, NY 11215

Sound: **GOTHAM SOUND** (212) 629-9430 Main
235-10 36th Ave **FI# 03-037-9486** (212) 629-9436 Fax
LIC, NY 11106 9A-6P M-F

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311 W 43rd St, #1100 **FI# 13-369-0067**
New York, NY 10036

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EZ-PASS (718) 366-1003 Main
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MAYOR'S OFFICE FOR FILM, (212) 262-7677 Fax
THEATRE & BROADCASTING 9A-5P M-F
 1697 Broadway, 6th Floor
 New York, NY 10019
Contact: Caitlin Fink (Coordinator)
Katharine Oliver (Commissioner) Ext. 228
John Battista (Deputy Commissioner) Ext. 220
Dean McCann (Director of Film) Ext. 235
Ray Carroll (Coordinator) Ext. 222
Celina Sze (Coordinator) Ext. 255
David Moy (Tickets & Towing) Ext. 210
Liz Acosta (Permits) Ext. 224

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Brooklyn, NY 11217

HAIR/MAKE UP SUPPLIES

ALCONE COMPANY (718) 361-8373
545 49th Ave **FI# 43-200-2624**
LIC, NY 11101

NIGEL'S BEAUTY EMPORIUM (818) 760-3902 Main
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Brooklyn, NY 11217

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Staten Island: **HILTON GARDEN INN** (718) 477-2400 Main
1100 South Ave
Staten Island, NY 10314

LANDLORD

EASTERN EFFECTS (718) 885-1197 Main
Production Office 99 9th St
Stages 1-5 Brooklyn, NY 11215
Writers Office Contact: Phil Warren (718) 650-6413 Cell
phil@easterneffects.com
Contact: Charlie Vakiener (717) 387-1444 Cell
charlie@easterneffects.com
Contact: Kyle McGroary (845) 323-8742 Cell
kyle@easterneffects.com

LANDLORD CONT.

Costume Shop **JUDITH LINHARES** (212) 961-7395
182 Butler St
Brooklyn, NY 11217

Construction Shop **STEVE HAGERMAN** (917) 807-3587
Auto Magic LLC
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38-20 Review Ave **FI# 13-254-3688** 6A-5P M-F
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40 South 6th St **FI# 13-2808012** (718) 387-4542 Fax
Brooklyn, NY 11211 tribecaprinting@gmail.com
Contact: Lee Green 8A-6P M-F

PERMITS

Filming: **MAYOR'S OFFICE FOR FILM THEATRE & BROADCASTING** (212) 489-6710 ext. 222
1697 Broadway, 6th Floor (212) 274-1301 Fax
(at 53rd Street) 9A-5P M-F
New York, NY 10019

NEW YORK CITY FIRE DEPARTMENT (718) 999-1595 Main
250 Livingston St (718) 999-0706 Fax
Explosive Unit, Room 430 8A-4P M-F
Brooklyn, NY 11201

CITY OF NEW YORK (718) 965-8913 Main
PARKS & RECREATION (718) 965-8989 Fax
95 Prospect Park West 8:30A-4:30P M-F
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DEPARTMENT OF WATER & ENERGY (212) 643-2215 Main
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Division of Labor Standards (518) 457-2731 Fax
Permit and Certificate Program
Building 12, Room 266A
State Office Building Campus
Albany, NY 12240

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320 Smith St 8A-12A M-Sun
Brooklyn, NY 11217

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120 Court St
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24 Hour Pharmacy: **DUANE READE** (718) 399-2716
296 Flatbush Ave
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Photo Supply: **ADORAMA** (212) 741-0052 Main
42 W 18th St FI# 46-203-3866 9A-8P M-Th
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420 9th Ave (212) 239-7500 ext 2252
New York, NY 10001 9A-7P M-Th

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Local Precinct: **76th PRECINCT** (718) 834-3211 Main
191 Union St
Brooklyn, NY 11231

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Fort Totten, Bldg 620
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Dailies: **POSTWORKS NEW YORK** (212) 609-9400 Main
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New York, NY 10014 **FI# 45-305-8732**
Contact: Wade Carter wcarter@technicolorpwny.com
Contact: Bill Davis (212) 609-9400 Office
bdavis@technicolorpwny.com

DVD Stock: **EMPRESS MEDIA** (212) 643-4898 Main
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8A-1P Sat

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Open Until 5pm

US POST OFFICE (718) 783-2444
950 Fulton St
Brooklyn, NY 11238
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SCRIPT CLEARANCE

ACT ONE (818) 240-2416 Main
230 N Maryland Ave , Suite 201
Glendale, CA 91206

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Latest FedEx: **FEDEX** Main: (800) 463-3339
130 Leroy Street Latest Drop-Off:
New York, NY 10014 Express: M-F - 9:30P
Express: Sat - 5P
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DATA SHREDDING SERVICE (888) 747-3396 Main
One Corporate Drive **FI# 11-346-9060**
Hauppauge, NY 11788

STAGE

Stages 1-4: **EASTERN EFFECTS**
270 Nevins St
(between Degraw and Sackett Sts)
Brooklyn, NY 11217

Stage 5: 479 Degraw St
Brooklyn, NY 11217

STORAGE

CUBESMART (718) 852-8011
338 3rd Ave M-Sat 8A-8P
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(718) 696-3258 Fax
(718) 482-1909 (Queens)
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(718) 585-1385 (Bronx)

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NYC TRANSIT AUTHORITY INFO (718) 330-1234 Main
LONG ISLAND RAILROAD (L.I.R.R.) (718) 217-5477 Main
METRO NORTH TRANSIT (203) 532-4900 Main

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MTA 2 Broadway Brooklyn, NY 11201	(718) 694-5129 Main (718) 694-4982 Fax
NJ TRANSIT PORT AUTHORITY	(973) 762-5100 Main (212) 435-7000 Main

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<i>Los Angeles:</i> DIRECTORS GUILD OF AMERICA 7000 West 3rd St Los Angeles, CA 90048	(310) 289-5348 Main
I.A.T.S.E. 1515 Broadway, Suite 601 (between 39th & 40th Sts) New York, NY 10019	(212) 730-1770 Main (212) 730-7809 Fax
<i>Studio Mechanics/</i> I.A.T.S.E. LOCAL 52 <i>Medic:</i> 19-02 Steinway St. Astoria, NY 11105	(718) 906-9440 Main (718) 777-1820 Fax
<i>Accountants/</i> I.A.T.S.E. LOCAL 161 <i>Production Coordinators/</i> 630 9th Ave, Suite 1103 <i>Script Supervisors:</i> (between 44th & 45th Sts) New York, NY 10036	(212) 977-9655 Main (212) 977-9609 Fax
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<i>Film Editors:</i> I.A.T.S.E. LOCAL 700 165 West 46th Street, 7th Floor (between 6th & 7th Aves) New York, NY 10013	(212) 302-0700 Main (212) 302-1091 Fax
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Scenic Artists: (between 5th & 6th Aves)
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Business Rep: David Lotz (212) 863-4212 Direct Line

New York: **WRITERS GUILD OF AMERICA EAST** (212) 767-7800 Main
555 West 57th St, Suite 1230 (212) 582-1909 Fax
(between 10th & 11th Aves)
New York, NY 10019

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7000 West 3rd St (323) 951-4000 Main
Los Angeles, CA 90048 (323) 782-4804 Fax

VEHICLES

ENTERPRISE (718) 369-5100 Main
453 3rd Ave
Brooklyn, NY 11215
Contact: Erving Hills (718) 445-5200 ext. 220

Transportation Dept: **HADDAD'S** 412-655-8822 Main
221 Curry Hollow Rd 412-655-9320 Fax
Pittsburgh, PA 15236
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Contact: Matt Pruess (678) 618-9991

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VEHICLES CONT.

WALTON HAULING (718) 383-11222
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Brooklyn, NY 11222

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661 Meeker Ave **FI# 95-4663537** 9A-5P M-F
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Rack Rentals: **ALL RACKS** Main: (212) 244-1069
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New York, NY 10018

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TV AND FILM SUPPORT SERVICES (631) 745-6226 Main
Contact: Joe Aquino JoeA0110@hotmail.com

WEATHER

SPOT ON WEATHER (732) 414-6326 Main
LOCAL + TRI-STATE AREA (212) 450-0000 Main
NATIONAL WEATHER SERVICE (516) 924-0517 Main

Dear Regional Administrator Enck,

On behalf of the tenants at 280 Nevins Street, we write to express our concerns related to the proposed settlement agreement for the siting, design, and site prep for the RH-034 CSO Retention Tank. While we do not wish to debate the proposed location of the tanks, we have significant concerns about the proposed construction staging area, which is proposed to be located at 270 Nevins Street.

Eastern Effects, Inc., a film and television studio, currently leases the property at 270 Nevins Street; they are currently in the fifth year of a 20-year lease and have invested \$5 million to build the formerly vacant building into a state-of-the-art soundstage. Eastern Effects has always been a good neighbor, quickly resolving any issues between our building and production crews, and they have invested in Gowanus. In addition to the building at 270 Nevins, Eastern Effects has a campus of three other buildings in Gowanus that support television production, including editing suites, writing suites, equipment storage, and office space. These spaces support over 230 jobs, most of which are union, in our community. If the main soundstage is lost, Eastern Effects will not be able to sustain itself and we will lose good-paying jobs in the neighborhood.

There are alternative sites in the area that are more suitable for a temporary staging location. Not only will these sites not displace a thriving local business, they are not adjacent to a building with residential tenants. As neighbors, we believe that there needs to be additional considerations placed on the existing uses surrounding the tank site before a decision is made on the staging location.

We hope that the Environmental Protection Agency and the NYC Department of Environmental Protection will consider this request to find an alternative staging location.

Sincerely,

Peter Reich, Karen Gibbons, Anne Twitty, David Waitz, Fanni Kozek, Janice Everett, William Touchet, Denise Touchet, Margaret Maugenest, and David Schlegle for the 280 Nevins St. Tenants Association

Cc: Mayor Bill de Blasio

Commissioner Julie Menin, Mayor's Office of Film and Television
Commissioner Emily Lloyd, Department of Environmental Protection

----- Forwarded message -----

From: joseph weisberg <mortjoe@gmail.com>

Date: May 31, 2016 7:38 PM

Subject: Eastern Effects Site And Gowanus Cleanup

To: muqdan.walter@epa.gov

Cc: Phil Warren <Phil@easterneffects.com>

I oppose the inclusion of the Eastern Effects site in the EPA/DEP agreement, as a staging site during the construction of a sewer tank. The building should remain a TV Film staging site, so long as the businesses owner holds a lease to operate there. I ask the EPA to eliminate any use of the Eastern Effects film studio site from the proposed agreement.

We have worked at the Eastern Effects site for four years. It is a unique and indispensable part of New York television production, and it would be a devastating loss to both our business community and the Gowanus neighborhood to lose this rare and wonderful resource.

Joe Weisberg and Joel Fields
Executive Producers
The Americans

Writers Guild of America, East

250 Hudson Street
New York, NY 10013

T. 212.767.7800
F. 212.582.1909
www.wgaeast.org



May 31, 2016

Dear Regional Administrator Judith Enck:

The Writers Guild of America, East (WGAE) supports efforts to clean the Gowanus Canal, but we strongly believe that cleanup efforts should not cause the loss of jobs. We therefore oppose the City's plan to close Eastern Effects' soundstage at 270 Nevins Street, which is used by our members working on the FX series THE AMERICANS.

Eastern Effects, a film and television production studio adjacent to the Gowanus Canal, was recently notified by the City that it would be forced to cease operations and close in order for the property to be used as a temporary staging area for the construction of two combined sewage overflow (CSO) tanks required to clean up the canal.

Losing its flagship soundstage will be devastating to Eastern Effects and to the productions that rely on its office space near their filming locations in Brooklyn. Without space in this key production location along the Gowanus, our members may lose their jobs or be forced to relocate to another city.

The Writers Guild of America East is a labor union of thousands of professionals who are the primary creators of what is seen or heard on television and film in the U.S.. Our members write everything from big budget movies to independent films, late night comedy/variety shows to daytime serials, broadcast and radio news, web series, documentaries, and animation. The WGAE works on their behalf to promote and protect the professional and artistic interests of this diverse community.

There are alternative locations nearby that are suitable for the construction staging that will not close small businesses and eliminate jobs. I urge you to consider those sites and keep jobs in Brooklyn.

Sincerely,

Lowell Peterson
Executive Director
Writers Guild of America, East

cc: Mayor Bill de Blasio
Commissioner Julie Menin, Mayor's Office of Film and Television
Commissioner Emily Lloyd, Department of Environmental Protection
Congresswoman Nydia Velazquez
Brooklyn Borough President Eric Adams
State Senator Velmanette Montgomery
Assembly Member Jo Anne Simon
Council Member Stephen Levin
Council Member Brad Lander

Michael Winship
President

Jeremy Pikser
Vice President

Bob Schneider
Secretary-Treasurer

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Jenny Lumet
Kathy McGee
Phil Pilato
Bill Scheft
Courtney Simon
Beau Willimon

Lowell Peterson
Executive Director

Ruth Gallo
Assistant Executive Director

Marsha Seeman
Assistant Executive Director



Board of Directors

May 31, 2016

Walter Mugdan
Superfund Director, US
EPA Region 2

Michael A. Jackman
Flo Mitchell Brown
Co-Chairmen

Re: Eastern Effects

Terry Lawler
Debbie Barlok
Executive Vice Presidents

Dear Mr. Mugdan

Kevin Fitze
Treasurer

The New York Production Alliance (NYPA) represents the unified voice of the film, television and commercial production and post-production industry in New York City and New York State. Representing over 100,000 people, together we promote, grow and strengthen the entertainment industry in New York. For the past four years, Eastern Effects has been a valuable contributor to these efforts and we strongly believe that the EPA's decision regarding use of Eastern Effects' location will have a detrimental effect on our New York entertainment community.

Anne Johnson
Secretary

John Amman
Barbara DeFina
Stuart Match Suna
Carl Zucker
Vice Presidents

Demand for filming facilities in and around the New York City area is greater than the supply. Losing the production space at Eastern Effects would reduce capacity in NYC which in turn would reduce the number of films and television shows we can support. The result of losing projects is losing jobs. Not just a few jobs, but the hundreds of jobs that a production brings with it. As an organization dedicated to the creation, promotion and maintenance of jobs in New York, NYPA's membership of labor organizations, business owners, management, State and City government representatives, national film and television advocate organizations and individuals are deeply committed to maximizing opportunities for New York's workforce.

Marcella Andre
Jeffrey Bennett
Frank Gallagher
Neil Dudich
Anne Hubbell
Pat Sweeny Kaufman
Thea Kerman
Richardo Lopes
Rachelle Madden
Dennis Reiff
Domenic Rom
Steven Shore
Veronica Sullivan
Kristin Wilcha
John Williams

Eastern Effects has a substantial and proven value for film and television in the New York region. We stand with Eastern Effects and ask you to reconsider your use of their property so that they may continue to be a reliable and outstanding production facility for our entertainment community.

www.nypa.org

Sincerely,

A handwritten signature in blue ink that reads 'Michael Jackman'.

Mike Jackman, FilmNation Entertainment
Co-Chair, New York Production Alliance

*Member Organizations attached

2015-16 Membership

Unions, Guilds and Associations

AFM – American Federation of Musicians, Local 802
AICE – Association of Independent Creative Editors
AICP – Association of Independent Commercial Producers
DGA - Directors Guild Of America
IATSE LOCAL 52 STUDIO MECHANICS
IATSE LOCAL 161 SCRIPT SUPERVISORS, PRODUCTION OFFICE COORDINATORS & ACCOUNTANTS
IATSE LOCAL 600 CINEMATOGRAPHERS
IATSE LOCAL 764 THEATRICAL WARDROBE
IATSE LOCAL 798 MAKE-UP ARTISTS & HAIRSTYLISTS
IATSE LOCAL 829 UNITED SCENIC ARTISTS
IBT - TEAMSTERS LOCAL 817
MPAA – Motion Picture Association of America
NYWIFT - New York Women in Film & Television
PGA EAST - Producers Guild Of America
REEL WORKS TEEN FILMMAKING
SAG-AFTRA - Screen Actors Guild- American Federation of Television and Radio Artists
WGAE – Writers Guild of America, East

Equipment Vendors and Facilities

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MARKS PANETH, LLP
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PROMETHEAN IT
REIFF & ASSOCIATES
TAYLOR & TAYLOR ASSOCIATES
TEAM
VARIETY 411

Stages, Studios and Production Companies

BIG BEACH FILMS
BROADWAY STAGES
COMPASS ENTERTAINMENT
EASTERN EFFECTS
FILMNATION ENTERTAINMENT
GOLD COAST STUDIOS
KAUFMAN ASTORIA STUDIOS
NBCUniversal
RDA PRODUCTIONS
RICHARD ROEPNACK MOTION PICTURES
ROLLIN STUDIOS
ROCKLAND FILMING CAMPUS
SILVERCUP STUDIOS
STEINER STUDIOS
YORK STUDIOS

Individual Members

DEBBIE BARLOK
EOIN EGAN
TOM HALE
GERALD HATHAWAY, Esq.
ANNE JOHNSON
PAT KAUMAN SWINNEY
THEA J. KERMAN, Esq.
RICK LOPES
BARRY JAY REISS, Esq.

Businesses Utilized by Productions at Eastern Effects

Bareburger – Court St.

Oaxaca – 4th Ave

Canteen – 4th ave

Pino's La Forchetta – 7th ave

Pure Bistro – 5th ave

C-Town – Bond St.

Whole Foods – 3rd Ave

Michael's Shoe and Watch Repair - Smith St.

L Train Vintage - Sackett St.

Olive's Vintage - Court St.

Salvation Army - Atlantic Ave.

Goodwill - Bond St.

Smith St. Laundry (for large loads)

Nectar – Court St.

Hop Hap – Smith st

Zaytoons – Smith St.

Zito's Sandwich Shop – 5th ave

Luscious – 5th ave

Bagel's by the Park – Smith St.

HBH - Smith St

Michael & Pings – 3rd ave

Purbird – 6th ave

Hanson's – Hanson pl

Lemongrass Grill – Court St.

Big John's Café – 4th ave (sunset park)

Buddy's Burrito – Court St

The Soul Spot – Atlantic Ave

Nature's Grill - Court St.

Calexico - Union St.

Carroll Gardens Diner - Smith St.

Monteleone Bakery - Court St.

OMG Taco - 3rd Ave.

Ortov Lightng

Mazzone Paint

Eastern Car Service

Mocha Bagels

Redhook Catering

Edelwiss & Opalia Florists

Mazzone Hardware

Miguel Locksmith

CubSMART

From: [Mugdan, Walter](#)
To: [Singerman, Joel](#); [Carr, Brian](#)
Subject: FW: Fox21 Television Studios- Eastern Effects- Letter of Support
Date: Thursday, June 02, 2016 8:08:35 AM
Attachments: [removed.txt](#)
[The Americans- Eastern Effects- Support Letter.pdf](#)

From: Christina Duque-Estrada [mailto:Christina.Duque-Estrada@fox.com]
Sent: Tuesday, May 31, 2016 2:55 PM
To: Mugdan, Walter <Mugdan.Walter@epa.gov>
Cc: David Shafer <David.Shafer@fox.com>
Subject: Fox21 Television Studios- Eastern Effects- Letter of Support

Dear Walter,

I hope this email finds you well. Attached please find the Letter of Support in connection with the public comment period on the proposed location for sewage retention tanks on Eastern Effects' property as part of the Gowanus Canal cleanup.

Kind regards,
Christina



Christina Duque-Estrada | Business & Legal Affairs
Phone: 310.369.5235 | Fax 310.295.3512
10351 Santa Monica Blvd, Suite 300 | Los Angeles, CA 90025

fox21 television studios

10351 SANTA MONICA BLVD. – SUITE 300 - LOS ANGELES, CALIFORNIA 90025

May 31, 2016

VIA E-MAIL

Mugdan.Walter@epa.gov

Walter Mugdan
U.S. EPA Region 2- Superfund Director
290 Broadway, 19th Floor
New York, N.Y. 1007

Re: Eastern Effects– Letter of Support

Dear Walter:

For the past four years, Eastern Effects has provided "The Americans" with a home in a city where studio space is increasingly hard to come by. While we cannot opine on the EPA's ruling with respect to the issue at hand, we can substantiate the importance of Eastern Effects to New York's film and television production activity. Unfortunately, we find ourselves at a time in which the demand for filming facilities in and around the New York City area is substantially greater than the supply. Losing the production space at Eastern Effects would almost certainly equate to the loss of at least one major film or television production from the New York City area. Gone with that production are the hundreds of jobs that it brings and millions of dollars in revenue for the city. As a studio keen on bringing production activity to the New York area, we hope that Eastern Effects will continue to exist as a reliable and outstanding filming facility for many years to come.

Sincerely,

Fox21 Television Studios

From: [Mugdan, Walter](#)
To: [Singerman, Joel](#); [Carr, Brian](#)
Subject: FW: FUREE Comment to EPA
Date: Thursday, June 02, 2016 8:10:46 AM
Attachments: [FUREE Comment to EPA.pdf](#)

From: Michael Higgins [mailto:Michael@furee.org]
Sent: Tuesday, May 31, 2016 10:02 PM
To: Mugdan, Walter <Mugdan.Walter@epa.gov>
Subject: FUREE Comment to EPA

Families United for Racial & Economic Equality
388 Atlantic Avenue, 2nd floor
Brooklyn, NY 11217

May 31, 2016

Dear Mr. Mugdan,

FUREE, on the behalf of our members and other residents who live in Gowanus Houses, Warren Street Houses and Wyckoff Gardens, we would like to thank the EPA for making its current agreement with the City of New York to place the RH-034 CSO Retention Tank along the footprint of the canal instead of the original site proposed by the federal agency within Thomas Greene Park and on top of the current site of the Douglass Degraw Swimming Pool. It is a gesture that has not gone without notice from the public housing residents for whom the pool is a true oasis within a desert of concrete.

To frame our relationship to the community surrounding the Superfund site, FUREE has been involved with Gowanus, Wyckoff and Warren Street residents for years and was part of the first-responders at Gowanus Houses in the aftermath of Hurricane Sandy. As you likely know, Gowanus Houses – less than 100 yards from the canal – saw 5 buildings lose power for more than a week. It was here that FUREE along with other local organizations and members of the community helped organize the collection and distribution of food, water, medicine and other essential necessities for all residents who needed them. For this reason, and the many complaints of sewer backups into NYCHA units, we have supported the installation of the retention tank and other infrastructure that will make nearby public housing buildings more resilient to future storms and flooding.

But at the same time, the installation of the tank should not be done in a way that places the highest level of burden on the members of the community that have the less amount of recourse within the current situation. Our members live in some of the most economically disadvantaged and often, environmentally burdened, communities in the city. A decision around the CSO tank siting that would impact the *only open space available in Gowanus* would only serve to underscore what many public housing residents have felt for decades - their lack of worth to the city. Local public housing residents' only open space should not be sacrificed to clean-up the Canal while other options are available and viable. We appreciate that the US EPA recognizing the importance of this open space to the local community and request that you use your authority to ensure that when Thomas Greene Park is finally cleaned

up that the park facilities are fully restored and that the local community, especially local NYCHA residents as primary park users, inform its design.

Sincerely,

Michael Higgins Jr.
Community Organizer



Families United for Racial & Economic Equality
388 Atlantic Avenue, 2nd floor
Brooklyn, NY 11217

May 31, 2016

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Sincerely,

Michael Higgins Jr.
Community Organizer

fox21 television studios

10351 SANTA MONICA BLVD. – SUITE 300 - LOS ANGELES, CALIFORNIA 90025

May 31, 2016

VIA E-MAIL

Mugdan.Walter@epa.gov

Walter Mugdan
U.S. EPA Region 2- Superfund Director
290 Broadway, 19th Floor
New York, N.Y. 1007

Re: Eastern Effects– Letter of Support

Dear Walter:

For the past four years, Eastern Effects has provided "The Americans" with a home in a city where studio space is increasingly hard to come by. While we cannot opine on the EPA's ruling with respect to the issue at hand, we can substantiate the importance of Eastern Effects to New York's film and television production activity. Unfortunately, we find ourselves at a time in which the demand for filming facilities in and around the New York City area is substantially greater than the supply. Losing the production space at Eastern Effects would almost certainly equate to the loss of at least one major film or television production from the New York City area. Gone with that production are the hundreds of jobs that it brings and millions of dollars in revenue for the city. As a studio keen on bringing production activity to the New York area, we hope that Eastern Effects will continue to exist as a reliable and outstanding filming facility for many years to come.

Sincerely,

Fox21 Television Studios

From: [Mugdan, Walter](#)
To: [Singerman, Joel](#); [Carr, Brian](#)
Subject: FW: Gowanus by Design Response to Draft Agreement between EPA and DEP/NYC
Date: Thursday, June 02, 2016 8:08:31 AM
Attachments: [GbD_160531_EPALetter_WM.pdf](#)
[ATT00001.htm](#)

From: David Briggs [mailto:dbriggs@lociarchitecture.com]
Sent: Tuesday, May 31, 2016 2:39 PM
To: Mugdan, Walter <Mugdan.Walter@epa.gov>
Cc: Craig R. Hammerman <districtmanager@brooklyncb6.org>; Nydia Velasquez <NYDIA.VELAZQUEZ@MAIL.HOUSE.GOV>; Daniel Wiley <daniel.wiley@mail.house.gov>; Catherine Zinnel <CZinnel@council.nyc.gov>; Enck, Judith <Enck.Judith@epa.gov>; askeric@brooklynbp.nyc.gov; Mccarthy, Gina <McCarthy.Gina@epa.gov>; montgome@nysenate.gov; simonj@assembly.state.ny.us; Paul Coughlin <paul@coughlinarchitecture.com>; Matthew Frank <mdfrank@nyc.rr.com>; Gene Sparling <gene.sparling@gmail.com>; Susan Frosten <FrostenS@philau.edu>; Julie Bargmann <julie.bargmann@dirtstudio.com>
Subject: Gowanus by Design Response to Draft Agreement between EPA and DEP/NYC

Dear Walter,

Attached is Gowanus by Design's response to the draft agreement between the EPA and DEP regarding the retention tank locations at the Gowanus Canal.

Thank you in advance for your consideration of our comments.

Dave

David Briggs AIA LEED AP, Principal
Loci Architecture PC
212.226.2228 x11
917.923.5774
www.lociarchitecture.com

IMPORTANT LEGAL NOTICE:

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31 May 2016

sent via email and USPS

Walter Mugdan
U.S. EPA Region 2 - Superfund Director
290 Broadway, 19th Floor
New York, N.Y. 10007

Dear Mr. Mugdan,

Thank you for making an excellent presentation on April 25, 2016 of the proposed agreement between EPA and NYC for siting the two retention tanks at the Gowanus Canal. Since we could not attend, we watched the video and read the correspondence between Christos Tsiamis and Kevin Clarke regarding DEP's Preliminary Remedial Design Report [PRDR] as well as the notes from your presentation to the Gowanus Community Advisory Group on April 26.

Based on the presentation, documents, and potential long-term benefits to the community, we propose the following amendments to the agreement:

1. A commitment by all parties to locate the 8 million gallon retention tank and head house in the Thomas Greene Park. With the planned remediation of the coal tar, necessitating the removal of the pool, it makes sense to coordinate the remediation efforts with the new infrastructure and eliminate the costs of designing for two scenarios.
2. A commitment by all parties to provide a nearby temporary community park/pool that is fully operational before the removal of the public pool in the park, and remains operational until a new pool with an adjacent year-round community facility in Thomas Green Park, similar to McCarren Park in Williamsburg, is constructed and operational.
3. Agree to include an Urban Field Station as part of the design and construction of the infrastructure. The Field Station will be a year-round facility that supports local organizations, groups, and individuals that observe and report on the impacts in the watershed caused by the clean up process, development, changes in infrastructure, global warming, planning strategies, etc. As a new community facility, it will include exhibits, meeting rooms, academic spaces for interns and after school programs studying toxicity in urban environments, work spaces for an artist and scientist-in-residence, indoor and exterior recreation areas, and offices for community groups. The facility should be located within the infrastructure footprint, preferably as part of the head house.
4. Agree to transfer ownership of the portion of Degraw Street between 242 and 270

31 May 2016

- Nevins from the city to one of the adjacent owners so that the properties at 234 Butler, 242 Nevins, and 270 Nevins can be combined into a single zoning lot. Rezone these three properties to modestly increase as-of-right commercial/light manufacturing development. Include a financing mechanism that provides operational funding of the Urban Field Station. Require that any development does not involuntarily displace any existing businesses currently operating on these properties.
5. Agree to not use 270 Nevins as a staging area for the proposed work.
 6. Agree to in situ stabilization of the coal tar beneath 270 Nevins Street, allowing for continuous uninterrupted occupancy of these premises by the current lessee.
 7. Agree to an integrated design effort between the City, National Grid, and a private developer across the referenced sites to minimize inefficiencies and delays in the full implementation of remediation of the hazardous environmental contaminants, construction of the cut off wall, installation of the retention tank and head house, and restoration, construction, and improvement to the existing community facilities.
 8. Agree to no new outfalls at either retention tank location.

Gowanus by Design is an urban advocacy non-profit that is researching design solutions for a sustainable and dynamic mixed-use community that reconnects the surrounding urban texture, promote truly coordinated development, and heal the environmental scar wrought upon the neighborhood. We offer our assistance to the EPA and the City to help achieve these goals.

Yours truly,

David Briggs

David Briggs AIA LEED AP
Executive Director

Copies to:

Eric Adams, Brooklyn Borough President
Judith Enck, Region 2 E.P.A. Administrator
Honorable Kirsten Gillibrand, United States Senator, New York
Craig Hammerman, District Manager, Community Board 6
Honorable Brad Lander, Council Member, District 39
Honorable Stephen Levin, Council Member, District 33
Emily Lloyd, Commissioner, Department of Environmental Protection
Gina McCarthy, U.S. E.P.A. Administrator
Honorable Velmanette Montgomery, New York State Senator
Honorable Charles Schumer, United States Senator, New York

31 May 2016

Honorable Jo Anne Simon, Assemblymember, Assembly District 52
Maria Torres-Springer, President and CEO of the New York City Economic Development Corporation
Honorable Nydia Velazquez, Congresswoman, NY 7th District
Carl Weisbrod, Chairman, Department of City Planning
Office of the Mayor of New York City

From: [Mugdan, Walter](#)
To: [Singerman, Joel](#); [Carr, Brian](#)
Subject: FW: Gowanus Canal Cleanup --- No More Delays
Date: Thursday, June 02, 2016 8:09:30 AM

From: patrianyc@hotmail.com [mailto:patrianyc@hotmail.com]
Sent: Tuesday, May 31, 2016 4:03 PM
To: Mugdan, Walter <Mugdan.Walter@epa.gov>
Subject: Fw: Gowanus Canal Cleanup --- No More Delays

Sent from my MetroPCS 4G LTE Android device

Dear Mr. Mugdan,

I live a few blocks up from the Gowanus Canal and I'm writing you to say that the EPA should not accept New York City's plan to claim eminent domain on land where they want the EPA to place the tanks. This will delay the cleanup by several years. The EPA plan is timely, safe and cost-effective.

Do not give in to the City's plan that wastes taxpayers' dollars and wastes precious time.

The EPA plan must be put into effect now --- No More Delays.

Sincerely,

Patricia Constantino
40 Third Street, #4
Brooklyn, NY 11231

Sent from my MetroPCS 4G LTE Android device

From: [Mugdan, Walter](#)
To: [Singerman, Joel](#); [Carr, Brian](#)
Subject: FW: Gowanus Canal Clean-up
Date: Thursday, June 02, 2016 8:11:21 AM

From: Anthony Marchese [mailto:armar41@yahoo.com]
Sent: Wednesday, June 01, 2016 12:12 PM
To: Mugdan, Walter <Mugdan.Walter@epa.gov>
Subject: Fw: Gowanus Canal Clean-up

----- Forwarded Message -----

From: Anthony Marchese <armar41@yahoo.com>
To: "mugdan.walter@epa.com" <mugdan.walter@epa.com>
Sent: Monday, May 30, 2016 10:07 PM
Subject: Gowanus Canal Clean-up

Dear Director Mugdan,
I am a long time resident of the Carroll Gardens neighborhood. My house is on Second Street one block from the canal. I unhesitatingly support the CGCord position on the clean-up and the location of the retention tank. I myself am an architect with over forty years in the field and my experience has taught me time and time again to trust the engineers and never trust a politician.
Sincerely,
Anthony Marchese, RA, AIA
41 Second Street
Brooklyn, NY 11231

From: [Mugdan, Walter](#)
To: [Singerman, Joel](#); [Carr, Brian](#)
Subject: FW: Gowanus Canal holding tanks and head house
Date: Thursday, June 02, 2016 8:07:28 AM

-----Original Message-----

From: Mark Karwowski [<mailto:markkarwow@yahoo.com>]
Sent: Tuesday, May 31, 2016 9:31 AM
To: Mugdan, Walter <Mugdan.Walter@epa.gov>
Cc: Marlene Donnelly <studio460@msn.com>; Linda Mariano <joeandlinda393@aol.com>
Subject: Gowanus Canal holding tanks and head house

Dear Mr. Mugdan,

I am a homeowner near the Gowanus Canal, President St. between Hoyt and Bond. My wife and I have lived here since 1988.

In recent years, I have become involved with FROGG. I am an alternate member of the Gowanus CAG.

I attended your comprehensive presentation concerning the tentative agreement between the city and the EPA, and the CAG meeting the following night.

I support the original plan to use the Thomas Green Park for the tank and related facilities.

The City of New York's entire history concerning the Gowanus Canal cleanup is simply shameful. The policy is basically to deny, delay, and stall. Now the city and supporters shed crocodile tears over the park. The park is lightly utilized, at best. All acknowledge the coal tar beneath the pool, and the need to remediate it. So why the stall? Who benefits? Certainly not the long suffering residents of the area. The city foolishly allowed the gigantic Lightstone horror on the bank of the canal, which will only add to CSO volume.

I am so disappointed that the "fix is in", or appears to be. Eminent domain will drag through the dysfunctional NY legislature. More years go by. Another totally nonsensical aspect is the plan to use the lot currently occupied by Eastern Effects. There's a hell of a lot more going on there than any average day in Thomas Green Park. I'd like to see the EPA use its full powers to make New York City finally live up to its responsibilities NOW.

Thank you for your time and attention.

Mark Karwowski
358 President Street
Brooklyn NY 11231

From: [Rodriguez, Elias](#)
To: [Mugdan, Walter](#)
Cc: [Tsiamis, Christos](#); [Carr, Brian](#)
Subject: FW: Gowanus Canal Superfund Citing
Date: Thursday, June 02, 2016 7:16:44 AM
Attachments: [EPA-Gowanus-Response.pdf](#)

Walter, Here's the email we both got on Tuesday. One file is attached.

From: Gowanus Dredgers [mailto:gdredgers@gmail.com]
Sent: Tuesday, May 31, 2016 8:49 PM
To: Rodriguez, Elias <Rodriguez.Elias@epa.gov>; Mugdan, Walter <Mugdan.Walter@epa.gov>
Subject: Gowanus Canal Superfund Citing

Attached please find the comments from the Gowanus Dredgers regarding the EPA's plans for the Gowanus Superfund.

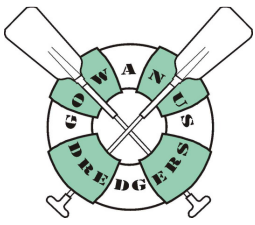
Please confirm that you have received a copy of our submission.

--

Let's Dredge!

Owen Foote

Gowanus Dredgers Canoe Club
www.gowanuscanal.org
[@GowanusDredgers](https://twitter.com/GowanusDredgers) on Twitter



May 31, 2016

Walter Mugdan
U.S. EPA Region 2 - Superfund Director
290 Broadway, 19th Floor
New York, N.Y. 10007

Captain
Bill Duke

First Mate
Lee Reiser

Secretary
Tim Gamble

Treasurer
Owen Foote

Trustees
Bart Chezar
Eymund Deigel
Ted Gruber
John McGarvey
Katina Johnstone

To: Walter Mugdan

From: The Gowanus Dredgers Canoe Club

In response to the draft agreement between the United States Environmental Protection Agency and New York City's Department of Environmental Protection, our organization requests that it be amended to guarantee that:

- a) no businesses are forced to involuntarily abandon or relocate their operations, either temporarily or permanently, as part of the retention tank installations, and
- b) that less economically disruptive options be sought to meet the needs for DEP construction staging in the vicinity of the retention tanks, and
- c) a comprehensive Environmental Impact Statement be conducted to disclose the Impact of the governmental action for elected representatives and the community may be fully informed of the actions taken by the Federal Government under the EPA Superfund program.

Supporting Statement

Eastern Effects, located at 270 Nevins Street, is a thriving film production studio signed a 20-year lease in 2010. Eastern Effects supports 200 full-time jobs in our community and has rented out its facilities to the highly successful television show, "The Americans," since 2012.

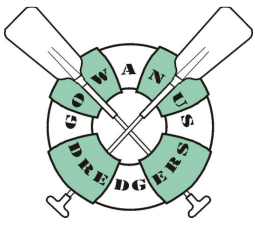
In addition, for the past 17 years, Eastern Effects has been supportive of the environmental awareness efforts that the Gowanus Dredgers have initiated to restore the Gowanus waterway.

However, The Gowanus Dredgers Object to citing of this facility on the shoreline because we feel it fails to consider the waterfront location as an environmental resource to harbor paddlers. We look forward to discussions regarding public landings at this location and access to the shoreline for the lower income and non-white members of the Gowanus community. An inland location would be more suitable for siting this waste treatment facility.

PO Box 24403
Brooklyn, New York 11202-4403
tel 718.243.0849
e-mail gdredgers@gmail.com

Recycled Paper

The Gowanus Dredgers Canoe Club is a tax-exempt organization under Section 501(c)(3) of the Internal Revenue Code, contributions are tax deductible to the extent allowed by law.



Captain

Bill Duke

First Mate

Lee Reiser

Secretary

Tim Gamble

Treasurer

Owen Foote

Trustees

Bart Chezar

Eymund Deigel

Ted Gruber

John McGarvey

Katina Johnstone

We ask that the EPA reconsider this decision and listen to our community response. As users of this waterfront, we cannot afford to lose another opportunity for safe exit from the Gowanus Canal as the superfund program fails to clean the waterway to accommodate recreational boating.

Thank you in advance for consideration of our request.

Owen Foote

(Treasurer) Gowanus Dredgers Canoe Club

A membership organization of 1,000 paddlers advocating for a clean Gowanus Waterway

Cc: elected and other interested parties

PO Box 24403

Brooklyn, New York 11202-4403

tel 718.243.0849

e-mail gdredgers@gmail.com

Recycled Paper

The Gowanus Dredgers Canoe Club is a tax-exempt organization under Section 501(c)(3) of the Internal Revenue Code, contributions are tax deductible to the extent allowed by law.

From: [Marlene Donnelly](#)
To: [Loney, Natalie](#)
Subject: Fw: Gowanus Comments: A community consensus document
Date: Tuesday, May 31, 2016 1:47:34 PM

cc'ing you on comments submitted regarding the EPA/DEC Agreement-3

additional FROGG comments were submitted earlier by Linda regarding the Historic designation and section 106 questions on the land under consideration for public taking.

From: Marlene Donnelly <Studio460@msn.com>
Sent: Tuesday, May 31, 2016 12:30 PM
To: Walter Mugdan -EPA; mugdan.walter@epa.gov
Subject: Gowanus Comments: A community consensus document

I am here submitting a statement that was prepared by the Technical Committee of the Gowanus CAG for approval by the full CAG. As disclaimer, this document was not passed by the full CAG as CAG rules require that an 80% vote in favor in order to ratify a statement. T

Nevertheless, because the statement did get a 73% favorable vote it does represent a legitimate general community consensus view on a number of matters regarding the EPA/DEP agreement. (In fairness, so as not to misrepresent anyone's position, the representatives on the CAG of CB6, Friends of Thonas Green Park, the Fifth Avenue Committee, and the Waterfront alliance did not fee this statement represented their positions.)

The statement is a a more conservative position and does not fully represent the potition of FROGG as it fails to represent FROGG's position that this is not a good agreement for the community nor the people of NY. It does however offer acceptable community ideas for mitigating the downsides of the proposed agreement-- common core community perspectives on things like schedules, timeframe, and reminds us all of the overarching goals of the Superfund on Environment and Health that should be considered in finalizing any decision.

thank you,
Marlene Donnelly
FROGG rep to the Gowanus CAG,
and facilitation team head for the Water Quality/Technical Committee of the CAG

text of statement: _____

Gowanus Canal CAG - Water Quality/Technical Committee
Proposed Resolution & Submitted as Public Comment for EPA Review
For Submission May 24, 2016
(VOTE: 73% for falls short of 80% needed to pass)

**CAG Resolution on EPA's Proposed Administrative Settlement Agreement
and Order for Remedial Design, Removal Action, and Cost Recovery**

WHEREAS the CAG passed resolution in March 2016 on the siting of the RH-034 tank that “urges the Environmental Protection Agency (EPA) and NYC Department of Environmental Protection (DEP) to reach an agreement that does not require acquiring privately-owned land by exercise of the power of eminent domain in New York State;”

WHEREAS the CAG passed a resolution in march that “urges the EPA, National Grid, and New York City to develop a solution that guarantees no loss of the vital community resource at the Thomas Greene Playground and Pool;”

WHEREAS the CAG passed resolution in March that “urges the EPA and DEP to reach an agreement that adheres as close as possible to the schedule proposed in the EPA’s Record of Decision;”

WHEREAS the EPA’s proposed Order allows both an extension of time and allows for the City’s use of eminent domain for acquiring privately-owned land;

WHEREAS the EPA is here presenting an agreement with the DEP for a tank location which the EPA has stated will be more difficult to construct, will be costlier, and will be more time consuming than the location recommended in the ROD for the RH-034 tank.

RECOGNIZING that any delay in the timetables set out under the EPA’s Record of Decision will, by definition, result in public health and environmental risks that could have been avoided;

UNDERSTANDING that the EPA’s draft removal order does not, and may not even be able to, include timelines for the construction and ultimate operation of the RH-034 tank;

NOTING that Superfund’s driving purpose, and legal mandate, is the protection of public health and the environment; outcomes which will be achieved with a full implementation of the ROD (including the construction and operation of two combined sewer system retention tanks);

RECOGNIZING that, as stated in the ROD, the EPA is under a “statutory requirement that Superfund remedies be cost-effective in that it is the least costly action alternative and will achieve the remediation goals”;

NOTING that a primary reason given by the EPA for the selection of the Head-of-Canal location for the RH-034 tank is because of the City’s “strong policy reasons for avoiding the longer disruption and potential permanent loss of space at the Thomas Greene Park,” and the City’s purported agreement to create new open space on top of the Head-of-Canal-located tank;

RECOGNIZING that there will be temporary park facilities provided within the vicinity of the Thomas Greene Park, including a replacement pool, for the local community during remediation;

NOTING that the Canal, when clean, remediated and restored, could represent over 12 acres of accessible open space for the enjoyment of the community at large, in perpetuity, and that further delays threaten that future for all residents of the Gowanus region;

UNDERSTANDING that this agreement with the DEP does not, and cannot provide the community with a guarantee that any new publicly-owned land created under this agreement will be used as Public Open Space for Public recreational needs;

NOW, THEREFORE, the CAG is disappointed to see an agreement that significantly increases the timeline proposed in the Record of Decision (by an unknowable or undisclosed period of time which may, at the very least, cause two to eight years of Canal recontamination); the CAG is also concerned that this additional delay is due to the EPA’s allowing the City to acquire the site by eminent domain.

We urge EPA and the DEP to shorten the proposed timeline by:

- Holding the City to the timeline for clean-up which would have been incurred should the tanks be located in the EPA’s proposed location (under Thomas Greene Park at the Fulton MGP site as noted in the ROD);
- Ensuring that the number of years for developing open space at the Head-of-Canal tank site, for public recreational needs, also be held as a priority;
- Accelerating the acquisition phase by encouraging a partnership with the property owner at the Head-of-Canal site;
- Using EPA federal authority to accelerate any eminent domain processes, while ensuring an adequate public review process;
- Accelerating the design and construction phases to minimize, or eliminate, the time between the completion of Canal dredging and the start of full operation of the RH-034 tank; and
- Concurrently designing and constructing both RH-034 tank and OH-007 tank.

We also urge the EPA to strengthen the proposed Order by:

- Including in the proposed Order a requirement that for any design for the existing Park site which requires a head-house, such head-house be located on an adjacent, non-park parcel;
- Requiring, to ensure the use of tank sites for public purposes post-construction, that DEP include a Community Benefits Agreement which:
 - Ensures that any land acquired or gifted for this retention tank work be dedicated as Public Open Space for recreational purposes as part of the final design at the Head-of-Canal site,

- Engages with the community in designing such new open space and recreational water-dependent uses for each tank site, simultaneous to the tank design phase, and
- Engages in design solutions with existing landowners and leaseholders to avoid displacement of business activities in the area.

Finally, it is the position of the CAG that the combined sewer system tanks required under the ROD are a vital component of the Gowanus Canal cleanup; without these tanks, the water quality of the Canal can never be remediated, and the public health risks to the community will never be abated. The CAG asks the EPA to consider these driving principles - environment and public health - in making its final decisions pursuant to Superfund laws and regulations. We therefore ask that the EPA and the DEP come to an agreement on an amendment to this Order designed to which ensures a quicker clean-up and tank construction timeline for the benefit of the environment and our public health.

From: [Mugdan, Walter](#)
To: [Singerman, Joel](#); [Carr, Brian](#)
Subject: FW: Gowanus Community Response to Draft Agreement between EPA and DEP/NYC
Date: Thursday, June 02, 2016 8:10:07 AM
Attachments: [GowanusCommunity_160531_EPA.pdf](#)
[ATT00001.htm](#)

From: David Briggs [mailto:dbriggs@lociarchitecture.com]

Sent: Tuesday, May 31, 2016 5:06 PM

To: Mugdan, Walter <Mugdan.Walter@epa.gov>

Cc: doug@forumfg.com; Craig R. Hammerman <districtmanager@brooklyncb6.org>; Nydia Velasquez <NYDIA.VELAZQUEZ@MAIL.HOUSE.GOV>; Daniel Wiley <daniel.wiley@mail.house.gov>; Catherine Zinnel <CZinnel@council.nyc.gov>; Enck, Judith <Enck.Judith@epa.gov>; askeric@brooklynbp.nyc.gov; Mccarthy, Gina <McCarthy.Gina@epa.gov>; montgome@nysenate.gov; simonj@assembly.state.ny.us; Stephen Levin <slevin@council.nyc.gov>; Michelle de La Uz <MdelaUz@fifthave.org>; Triada Samaras <triadasamaras@gmail.com>; Marlene Donnelly <Studio460@msn.com>; Margaret Maugenest <mmaugenest@aol.com>; Rafael Gomez <kapoluna@aol.com>; Jerry Armer <jjarmer@yahoo.com>; Diane Buxbaum <ddbuxbaum@earthlink.net>; Katia Kelly <pardonmeinbrooklyn@gmail.com>; Linda Mariano <joeandlinda393@aol.com>; Rita Miller <ritamiller103@yahoo.com>; Paul Basile <gowanusalliance@gmail.com>; lizzieo@mindspring.com; Eric McClure <eric@parkslopeighbors.org>; Andrea Parker <andrea@gowanuscanalconservancy.org>; George Fiala <gbrook@pipeline.com>; Maryann Young <ringoandme2@gmail.com>; Eymund Diegel <eymund@gmail.com>; Christine Petro <christine@gowanuscanalconservancy.org>; Ben Jones <BENJAMINWADEJONES@yahoo.com>; Justin Collins <JCollins@sbidc.org>; Sue Wolfe <sue.wolfe@corcoran.com>; Stephen Kondaks <Kondakscrafts@aol.com>; Sayar Lonial <sayarlonial@hotmail.com>; Mike Racioppo <racioppomike@yahoo.com>; Peter Reich <swiftfolders@gmail.com>

Subject: Re: Gowanus Community Response to Draft Agreement between EPA and DEP/NYC

Dear Walter,

Attached is an updated response from the Gowanus Canal Community which now includes Council Member Stephen Levin as a signatory. Please disregard the previous version.

Thank you.

Dave

David Briggs AIA LEED AP, Principal
Loci Architecture PC
212.226.2228 x11
917.923.5774
www.lociarchitecture.com

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On May 31, 2016, at 4:21 PM, David Briggs <dbriggs@gowanusbydesign.org> wrote:

Dear Walter,

Attached is the Gowanus Canal Community's response to the draft agreement between the EPA and DEP regarding the retention tank locations at the Gowanus Canal.

Thank you in advance for your consideration of the community's comments.

Dave

David Briggs AIA LEED AP
Executive Director
Gowanus by Design
917.923.5774
www.gowanusbydesign.org

<GowanusCommunity_160531_EPA.pdf>

The Gowanus Canal Community

31 May 2016

sent via email and USPS

Walter Mugdan
U.S. EPA Region 2 - Superfund Director
290 Broadway, 19th Floor
New York, N.Y. 10007

To: Walter Mugdan

From: The Gowanus Canal Community

In response to the draft agreement between the United States Environmental Protection Agency and New York City's Department of Environmental Protection, the undersigned request that it be amended to guarantee that:

- a) no businesses are forced to involuntarily abandon or relocate their operations, either temporarily or permanently, as part of the retention tank installations, and
- b) that less economically disruptive options be sought to meet the needs for DEP construction staging in the vicinity of the retention tanks.

Supporting Statement

Eastern Effects, located at 270 Nevins Street, is a thriving film production studio that signed a 20-year lease in 2010. In order to qualify for New York State Film Production tax credits, they invested \$5 million to upgrade the former storage building to meet the requirements of a Qualified Production Facility for Level 2 Productions. Other locations in New York City that meet this requirement include the famed Steiner Studios and Radio City Music Hall.

Eastern Effects supports 200 full-time jobs in our community and has rented out its facilities to the highly successful television show, "The Americans," since 2012.

Eastern Effects is willing to accommodate in situ stabilization of coal tar beneath its building.

Eastern Effects is in the business of providing services to the television and film industry. It is not in the business of negotiating a financial settlement or fighting eminent domain if New York City or the federal government acquires its property.

Retaining businesses, such as Eastern Effects, in the Gowanus is critical for the long-term sustainability of a diverse, rich, and vibrant community.

Thank you in advance for consideration of our request.

31 May 2016

Respectfully submitted by:

Jerry Armer - Gowanus community
Paul Basile - Gowanus Alliance
David Briggs - Gowanus by Design
Diane Buxbaum - Local Resident and Conservation Chair Sierra Club, New York City Group
Justin Collins - Director of Strategic Partnerships & Development, Southwest Brooklyn
Industrial Development Corporation
Michelle de la Uz - Fifth Avenue Committee
Eymund Diegel - Gowanus resident
Marlene Donnelly and Benjamin Ellis - Gowanus community, local business owner, and
members of FROGG (Friends and Residents Of Greater Gowanus)
George Fiala - Gowanus community
Rafael Gomez Luna - Gowanus community
Katia Kelly - Gowanus community
Stephen Kondaks - Gowanus community
Honorable Stephen Levin, Council Member, District 33
Sayar Lonial - Gowanus community
Linda and Joseph Mariano - Gowanus community members and members of FROGG
(Friends and Residents Of Greater Gowanus)
Margaret Maugenest - Gowanus community
Eric McClure - Park Slope Neighbors
Rita Miller - Gowanus community and CORD Co-Founder
Lizzie Olesker & Blaise Corrigan - Gowanus community
Andrea Parker - Gowanus Canal Conservancy
Mike Racioppo - Gowanus community
Peter Reich - 280 Nevins Street Tenants
Triada Samaras - Gowanus community and CORD Co-Founder
Sue Wolfe - Gowanus community and Friends of Thomas Greene Park
Maryann Young - Gowanus community

Copies to:

Eric Adams, Brooklyn Borough President
Judith Enck, Region 2 E.P.A. Administrator
Honorable Kirsten Gillibrand, United States Senator, New York
Craig Hammerman, District Manager, Community Board 6
Honorable Brad Lander, Council Member, District 39
Emily Lloyd, Commissioner, Department of Environmental Protection
Gina McCarthy, U.S. E.P.A. Administrator
Julie Menin, Commissioner of the Mayor's Office of Media and Entertainment
Honorable Velmanette Montgomery, New York State Senator
Honorable Charles Schumer, United States Senator, New York

31 May 2016

Honorable Jo Anne Simon, Assemblymember, Assembly District 52
Maria Torres-Springer, President and CEO of the New York City Economic Development
Corporation
Honorable Nydia Velazquez, Congresswoman, NY 7th District
Office of the Mayor of New York City

From: [Marlene Donnelly](#)
To: [Loney, Natalie](#)
Cc: [Carr, Brian](#); [Tsiamis, Christos](#)
Subject: Fw: Gowanus EPA Comments submitted by Marlene Donnelly on CSO tank siting and ULURP issues
Date: Tuesday, May 31, 2016 1:45:56 PM

cc'ing you on comments submitted regarding the EPA/DEC Agreement-2

From: Marlene Donnelly <Studio460@msn.com>
Sent: Tuesday, May 31, 2016 11:55 AM
To: Walter Mugdan -EPA; mugdan.walter@epa.gov; Judith Enck
Subject: Gowanus EPA Comments submitted by Marlene Donnelly on CSO tank siting and ULURP issues

EPA Region 2 Superfund Division
Judith Enck, Region 2 Administrator
Walter Mugdan Superfund Director

I have been hesitant on submitting this statement on Land use and ULURP as it pertains to the EPA/DEP agreement on the construction of the 8-million gallon sewage holding tank for the head of the canal. But I feel that these matters are an important part of the community understanding of how we have arrived at this proposed agreement and therefore relevant to how we move forward from here. Again, I do not believe that current EPA/DEP agreement is in keeping with the goals of EPA to address health and the environment, specifically as defined here in Gowanus under the Record of Decision.

From our seats on the CAG, many of us have watched and wondered about the shifting reasons given by the city and its support organizations as to why a CSO tank should not be built under the Thomas Green Park swimming pool location (which we to be a known toxic waste site that needs to be cleaned up). Throughout this process, the city has continually angled to produce reasons against this site while pushing for a canal-side location.

At first the claims were made that the use of the pool is so vital to the community that it should remain as is, in its vat of coal tar sludge until some unknown future date when it might be remediated. As the community became more aware of the extent of the contamination and its contribution to the coal tar drainage towards the canal, the position to leave the contamination in place became less popular even among the supporters defending the existing pool. The EPA rightly moved forward with the decision to proactively remove that source contamination which means removal of the pool (creating a vast hole in the site suitable for a CSO tank).

It was at this point when the city switched gears and began making the case to the community that this CSO tank must have a mechanical support building, or head-house. Tours were then held at both the 5-million gallon CSO tank at Alley Creek (which has no such head-house building) and then the 50-million gallon CSO tank at Paerdegat Basin with its enormous support facility. Along with the city's push for a sizable head-house building in Gowanus came their claim (substantiated by the Parks Commissioner) that a CSO tank in the park would mean "Parkland Alienation". The DEP created the claim that a sizable head-house was needed without any validation on that claim from the EPA team. A segment of the community was quickly organized against any head-house within the park. Soon claims of environmental injustice were being bantered about over the DEP-generated claim that Parkland Alienation was a necessary outcome should any CSO tank be built in the park. Suddenly a "policy issue" was created for the EPA to balance. At that time other policy issues were ignored, such as the negative impacts of Eminent Domain and displacements of businesses in the footprint of the DEP's canal-side proposal, but the DEP-created policy issue got plenty of attention.

As a result of that attention, the landowners, looking to avoid being displaced from their property, proposed giving a segment of their canal-side land to the city to compensate for any loss of park land that may come with the construction of a CSO tank under the park. The gift was sizable and free to the city. It more than resolved the issue of the potential shrinkage of Parkland square footage and created the opportunity to integrate the Park with access to the canal edge. But the City dismissed this offer. A video of the DEP commissioner taken during the Paerdegat Basin CSO tank tour clearly shows a firm dismissive attitude towards the landowner and their development plans for a commercial building on their canal-side site. It clearly did not appear that the city was open to solutions and compromise to resolve issues for the best outcome for both community and property owners. Throughout the process of locating a site for the CSO tanks, the community was always left wondering why the city was acting in such an obstructionist manner. We assumed that they were looking for a way out of building any tank. But as events unfolded, the firm insistence that the city get the canal-side lots—three of them—was

emerging as the single minded goal of the city, but still why? The city indicated that the canal-side lots, could be used for open space once the CSO tank was completed, but the EPA/DEP agreement does not make any commitment towards that end, nor has the city offered their own firm and binding commitment to such new park land. But the community does know, based on the city's past action in taking private land along the Gowanus for the intended purpose of making Park land, what the city's actions may lead to. Public Place, the 6-acre site at 5th street was taken by Eminent Domaine specifically to build a park and the city is now offering it to Hudson Development/Fifth Ave Committee for one-dollar to develop a large housing complex.

So given the city track record and the current EPA/DEP proposal that allows for the public taking of three additional canal-side lots, the community was taken aback that the proposed timeline of this agreement and triggers for certain actions is based upon a full 25 month city land use, ULURP, process; and that this was included in the agreement at the city's request even though it is not necessary under the EPA Superfund authority. Suddenly an EPA Superfund action, one based on the objective of environmental cleanup, has been turned into a back door land-use rezoning action, a rezoning action directed that the city is looking to have the EPA stamp of approval on.

These concerns coupled with the new information that the city has allocated a huge sum of money for the Superfund work at the head of the canal—more than \$460 million more than was budgeted in the ROD. Just what is all that money going to go towards? Not just land costs, but ULURP too with all it's environmental assessments?

This spring there have been community rummings about impending City Planning overall rezoning actions in Gowanus. The rumored intent is to rezone much of the area to allow residential uses infiltrate the commercial and industrial sites, but that the general zoning would not include the canal-side lots, which the city would instead address on a block by block basis as these lots have the advantage of being able to dump their storm water directly into the canal and thus allow for higher density residential use. The Lightstone development being the key model here. It appears that the city is concerned that the EPA is involved in the Gowanus long after the cleanup work is completed. And that EPA oversight comes with authority to review land-use impacts that will effect the remedy. So there is developing concerns that this current agreement with the city will weaken and eliminate that EPA oversight as the ULURP, which will take place under this agreement, will define the base parameters for land-use on canal side lots with an EPA stamp of approval. And that the three lots taken will have the same fate as the Public Place site, with high rise developments being placed in such locations because of the ability to drain storm water. (Considerations for sea-level rise being address solely by changing base height of a buildings first floor.)

It because of these concerns that the entire reason for favoring the canal-side CSO facility may be based in a city plan to move forward a rezoning under the umbrella of the EPA. If the city were to place the CSO tank in land it already owned, the opportunity for such a ULURP action would not exist. So no solution to favored the CSO tank under the park was acceptable to the City, not even the free land offered by some landowners under threat of Eminent Domaine.

It is for this reason that I ask, what ever decision the EPA favors under the EPA/DEP agreement for placement of a CSO tank, that there be no ULURP include in such process. If the EPA decides it is absolutely necessary to take private land for construction of a CSO tank, to balance other Public Policy issues, then that action must be carried out fully under the authority of the EPA to insure that the EPA maintains their authority for oversight on all long-term of impacts on the canal Superfund remedy. And while my reasons here can be called "speculative", whether valid or not, it all becomes irrelevant if ULURP is excluded from the process. A canal-side holding tank to meet ROD requirements must be about achieving the remedial goals given in the ROD and not be used towards other purposes, no matter how valid those other purposes may or may not be. Rezoning was wisely excluded from Superfund action and that should continue to be the case here in Gowanus. And excluding the ULURP will also reduce the overall costs that are being attributed to meeting the EPA Superfund ROD requirements.

I thank you for your patients with my lack of editing skills here and your time and attention given to these community concerns which I am submitting.

Regards,

Marlene Donnelly
Gowanus resident and local business owner,
and officer with FROGG.

From: [Mugdan, Walter](#)
To: [Singerman, Joel](#); [Carr, Brian](#)
Subject: FW: GOWANUS
Date: Thursday, June 02, 2016 8:08:52 AM
Attachments: [CSO Tank - public comment 2016.05.31.pdf](#)

From: Jared Della Valle [mailto:jdellavalle@alloyllc.com]
Sent: Tuesday, May 31, 2016 3:13 PM
To: Mugdan, Walter <Mugdan.Walter@epa.gov>
Cc: Acquisitions <Acquisitions@alloyllc.com>
Subject: GOWANUS

Mr. Mugden,

Please find attached for your consideration as it pertains to the public comment period.

Sincerely,

Jared Della Valle

Alloy

20 Jay Street
Suite 1003
Brooklyn, NY 11201
718.222.8155 x 1001
718.923.1904 : Direct
718.222.8157 : Fax



Sent via Email in PDF Format
mugdhan.walter@epa.gov

May 31, 2016

Walter Mugdan
U.S. EPA Region 2 - Superfund Director
290 Broadway, 19th Floor
New York, N.Y. 10007

RE: Proposed Locations for Two Sewage Retention Tanks as Part of Gowanus Canal Cleanup

Dear Mr. Mugdan:

I write in regards to the proposed siting of the Gowanus Canal CSO tanks at 234 Butler and 242 Nevins Street (collectively known as the "Head End Sites"). We are a Brooklyn-based design and development firm that is planning an as-of-right commercial development at 234 Butler Street.

While we strongly support the EPA's efforts to remediate the Gowanus Canal, we feel the proposed location of the CSO tanks at the Head End Sites is not ideal, threatening to slow down the cleanup and cost significantly more than the alternative.

Working with the fee owners of 234 Butler and 242 Nevins Streets, we have committed to donate approximately one acre of canal-fronting land to the City to serve as interim and permanent replacement parkland in exchange for avoiding eminent domain. This additional parkland would serve as interim open space while Thomas Greene Park is remediated and permanent parkland once construction is complete.

Given EPA staff's steadfast preference for locating the tanks in Thomas Greene Park, and our proposed donation of parkland, which solves the open space issues associated with that siting, we are confused why the EPA is not proceeding with its original plan. While collaboration with PRPs is a reasonable goal, it should not come at the expense of a timely, comprehensive cleanup. The proposed administrative settlement agreement promises to delay the cleanup and potentially compromise the remedy, while failing to address the need for interim open space during the remediation of Thomas Greene Park.

We presented our plan to you and your staff, the NYC DEP and DPR, the Gowanus CAG, and many local stakeholders. The response to the proposal was overwhelming positive (as evidenced by the attached letters of support). The community agrees that our approach represents a better plan. We estimate it would save the City approximately \$100M in acquisition expense, save approximately 3 to 5 years of unnecessary delay, add much needed park space to the neighborhood, and bring hundreds of new jobs to Gowanus.

We urge the EPA to reconsider the proposed siting. Siting the tanks in Thomas Greene Park (EPA's stated preferred solution) will result in a faster, more cost effective cleanup of the canal. Our proposed donation of new parkland will offset any temporary or permanent loss of parkland and represents a better open space plan for the neighborhood.

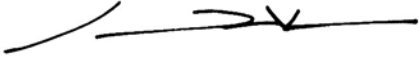
Thank you for your continued support of the Gowanus Canal cleanup. We look forward to the continued collaboration.

20 Jay Street, Suite 1003
Brooklyn NY 11201

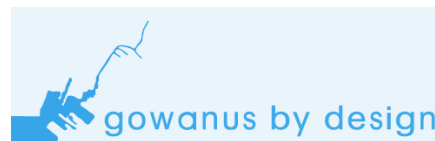
alloyllc.com

Better Development

Sincerely,

A handwritten signature in black ink, consisting of a series of connected strokes that form the letters 'JDV'.

Jared Della Valle
President
Alloy Development



December 10, 2015

Emily Lloyd, Commissioner
New York City Department of Environmental Protection
59-17 Junction Boulevard, 13th Floor
Flushing, NY 11373

RE: RH-034 CSO Facility Siting

Dear Commissioner Lloyd:

As a part of the Gowanus Canal Superfund remedy, the Environmental Protection Agency (EPA) will soon make a decision on the exact location of the RH-034 sewage retention tank. Unfortunately, the debate over this critical decision has reached the point where acrimony and distrust threaten the very possibility of healthy community dialogue, inclusive process and a much needed collaborative outcome.

Most recently, at last week's Gowanus CAG meeting, NYC DEP and Alloy Development each presented planning proposals to address possible sitings for the RH-034 tank. At a high level, their presentations had remarkable commonalities -- in terms of the need for temporary park space during the clean-up; in terms of ensuring enhanced and expanded park space after the clean-up; and in terms of investing in neighborhood planning, design and programming.

We commend the DEP and Parks Departments for listening to the community, and for insisting that Superfund planning must satisfy all of these needs -- while also meeting the community's and EPA's demands for the most comprehensive and fastest cleanup possible. We agree with the City (and the EPA leadership) that community park and planning needs must be considered in the tank siting decision, and in all of the work that will follow.

It is our belief that there is time for DEP and Alloy to work together on a plan that informs the EPA's tank siting decision, satisfies the community's desire for a speedy and comprehensive cleanup, meets the engineering and operational requirements of DEP, and embraces the neighborhood planning and public space investments that both parties have championed. We also believe that such a proposal will ensure the best possible communication between the key players, the best execution of the project, the avoidance of parkland alienation or unnecessary use of eminent domain, and the best results for the community.

With this in mind, we strongly urge DEP to sit down with Alloy to work out an agreement that fully leverages the expertise of all parties involved-- DEP, DPR, EPA and Alloy-- and unifies the community around a common vision.

We believe that such a plan is realistic, achievable and within reach, and look forward to working with you in any way that we can to make it happen.

Sincerely,



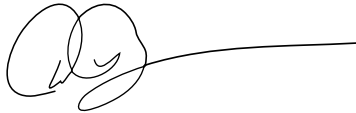
Sue Wolfe
President
Friends of Thomas Greene Park



Michelle de la Uz
Executive Director
Fifth Avenue Committee



Andrea Parker
Executive Director
Gowanus Canal Conservancy



David Briggs
Executive Director
Gowanus By Design



Michael Higgins
Community Organizer
Families United for Racial and Economic Equality

cc: Eric Landau, Associate Commissioner, NYC Department of Environmental Protection
Mitchell Silver, Commissioner, NYC Department of Parks and Recreation
Kevin Jeffrey, Brooklyn Borough Commissioner, NYC Department of Parks and Recreation
Judith Enck, Regional Administrator, US Environmental Protection Agency Region 2
Walter Mugdan, Superfund Director, US Environmental Protection Agency Region 2
Christos Tsiamis, Gowanus Canal Superfund Project Manager, US Environmental Protection Agency Region 2
Natalie Loney, Community Involvement Coordinator, US Environmental Protection Agency Region 2
Brian Carr, Assistant Regional Counsel, US Environmental Protection Agency Region 2
Jared Della Valle, President, Alloy Development
Hon. Nydia Velazquez, U.S. Representative, NY District 7
Hon. Velmanette Montgomery, NYS State Senator, District 25
Hon. Jo Anne Simon, NYS Assemblywoman, District 52
Hon. Eric Adams, Brooklyn Borough President
Hon. Stephen Levin, NYC Councilmember, CD 33
Hon. Brad Lander, NYC Councilmember, CD 39
Hon. Carlos Menchaca, NYC Councilmember, CD 38
Craig Hammerman, District Manager, Community Board 6
Glen Kelly, Parks Committee Chair, Community Board 6
Ed Tyree, President, Gowanus Houses Resident Association
Charlene Nimmons, President, Wyckoff Gardens Tenants Association
Valerie Bell, President Elect, Wyckoff Gardens Tenants Association
Jo Anne Brown, Vice President, 572/574 Warren Street Houses Tenants Association
Ms. McDonald, 572/574 Warren Street Houses Tenants Association
Mark Ladov, New York Lawyers for the Public Interest
Doug Sarno, Forum Facilitation Group



The Gowanus Alliance Board of Trade Inc
135 13th Street, Brooklyn, NY 11215
718-576-3108
www.GowanusAlliance.org
gowanusalliance@gmail.com

November 24, 2015

Brian Carr and Christos Tsiamis
U.S. Environmental Protection Agency
290 Broadway, 17th Floor
New York, New York 10007-1866

Mr. Carr and Tsiamis,

As an organization dedicated to the enhancement and development of the Gowanus neighborhood and an active member of the Gowanus Community Advisory Group (CAG), we have been very invested in the conversation about the siting of the future Gowanus CSO tanks.

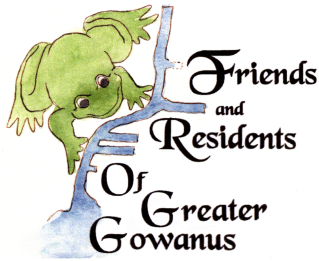
We have recently spoken with Sal Tagliavia, the owner of 234 Butler Street, and Alloy Development, the developer of an as-of-right commercial building on the site. Their proposed solution to the Gowanus CSO tank siting challenge is to donate a portion of their property to the City to serve as temporary and permanent parkland in exchange for the City agreeing not to pursue eminent domain of its property.

The proposed solution avoids eminent domain, saves taxpayer money, increases the amount of open space in Gowanus, and results in the most expedited clean-up of the Gowanus Canal. Given these strengths, we are strongly supportive of the proposed solution and feel the owner of 234 Butler Street should work closely with EPA and City agencies to creatively solve this problem.

We believe eminent domain should only be used as a last resort. Alloy's proposed solution makes it clear that superior solutions exist that will lead to a better outcome and a stronger Gowanus neighborhood.

Sincerely,

Paul Basile
President
Gowanus Alliance



393 President Street
Brooklyn, NY 11231

December 3, 2015

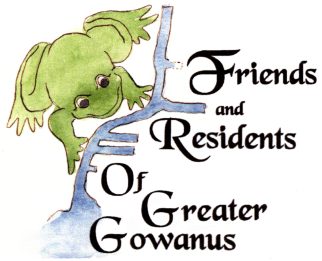
Brian Carr and Christos Tsiamis
U.S. Environmental Protection Agency
290 Broadway, 17th Floor
New York, New York 10007-1866

Mr. Carr and Tsiamis,

As an organization dedicated to ensuring the timely clean-up of the Gowanus Canal and a preservation of Gowanus's industrial heritage, and as an active member of the Gowanus Community Advisory Group (CAG), we have been very invested in the conversation about the siting of the future Gowanus CSO tanks.

We recently reviewed the presentation given by Alloy Development, the developer of an as-of-right commercial development at 234 Butler St, at the Gowanus CAG meeting. Their proposed solution to the Gowanus CSO tank siting challenge is to donate a portion of their property to the City to serve as temporary and permanent parkland in exchange for the City agreeing not to pursue eminent domain of its property.

The proposed solution avoids eminent domain, saves tax payer money, increases the amount of open space in Gowanus, and results in the most expedited clean-up of the Gowanus Canal. Given these strengths, we are strongly supportive of the proposed solution and feel Alloy should work closely with EPA and City agencies to creatively solve this problem.



The community has waited too long for the Gowanus Canal to be cleaned up. Additional delays due to eminent domain are unacceptable. Better solutions have emerged, and we urge the EPA to pursue them.

Sincerely,
Linda Mariano
Co Founder
FROGG

December 3, 2015

Robert Scott Carr
Christos Tsiamis
Environmental Protection Agency - Region 2
290 Broadway
New York, NY 10007

Dear Mr. Carr and Mr. Tsiamis:

As an organization dedicated to economic development in Brooklyn, and as active members of the Gowanus Community Advisory Group (CAG), the Brooklyn Chamber has been involved in the discussions about canal cleanup, and the challenging process of siting future CSO tanks.

We are writing in support of Alloy Development as they seek to develop an as-of-right commercial building at 234 Butler Street, and their proposal to donate a portion of the property to the City to provide additional park space and avoid eminent domain. The property could serve as temporary parkland while pollution beneath Thomas Greene Playground is mitigated, and remain as permanent park land with waterfront access.

In addition to avoiding the time and cost associated with eminent domain, saving tax payer money, increasing the amount of open space in the neighborhood and expediting clean-up of the Canal, Alloy's proposal includes the creation of much needed commercial space. In addition to construction jobs, the resulting as-of-right development would create space for companies to locate their businesses and serve about 2,000 employees. With the ongoing trend of companies choosing to locate in Brooklyn, and extremely low commercial vacancy, this new development would be a major asset for the neighborhood and welcomed in the borough.

We urge the EPA to work closely with Alloy and the City on a creative solution to the tank siting, and to avoid eminent domain. It is clear that the Alloy proposal can lead to a better outcome for the Gowanus community and have a significant positive economic impact on the area.

Very truly yours,



Carlo A. Scissura, Esq.

From: [Mugdan, Walter](#)
To: [Singerman, Joel](#); [Carr, Brian](#)
Subject: FW: Letter from Senator Montgomery re: Eastern Effects 270 Nevins Street, Brooklyn, NY
Date: Thursday, June 02, 2016 8:10:25 AM
Attachments: [SenMontgomery-270NevinsStatement.pdf](#)

From: Oscar Jonas [mailto:ojonas@nysenate.gov]
Sent: Tuesday, May 31, 2016 6:23 PM
To: Mugdan, Walter <Mugdan.Walter@epa.gov>
Subject: Letter from Senator Montgomery re: Eastern Effects 270 Nevins Street, Brooklyn, NY

Dear Director Mugdan:

Attached is Senator Velmanette Montgomery's statement on the Eastern Effects site.

Please Confirm Your reception.

Oscar M. Jonas
Community Liaison, Senator Velmanette Montgomery
718-643-6140

VELMANETTE MONTGOMERY
25TH SENATE DISTRICT

ALBANY OFFICE

ROOM 903
LEGISLATIVE OFFICE BUILDING
ALBANY NEW YORK 12247
PHONE (518) 455-3451
FAX (518) 426-6854

DISTRICT OFFICE

30 THIRD AVENUE
BROOKLYN, NEW YORK 11217
PHONE (718) 643-6140
FAX (718) 237-4137

E-MAIL: MONTGOME@NYSENATE.GOV

WEBSITE: MONTGOMERY.NYSENATE.GOV



THE SENATE
STATE OF NEW YORK
ALBANY

SECRETARY, SENATE DEMOCRATIC CONFERENCE

COMMITTEES:

CHILDREN & FAMILIES, RANKING MINORITY MEMBER

AGRICULTURE

CRIME VICTIMS, CRIME & CORRECTION

EDUCATION

FINANCE

HEALTH

RULES

SOCIAL SERVICES

May 31, 2016

Mr. Walter Mugdan
US EPA Region 2 – Superfund Director
290 Broadway, 19th Floor
New York, NY 10007

Dear Director Mugdan:

I write to you in opposition of the plan to place a construction staging area on the site of the Eastern Effects studio located in my State Senate district at 270 Nevins Street in Brooklyn.

Mr. Scott Levy, the Founder and President of this studio has invested millions of dollars to make his studio attractive to the entertainment industry. This studio makes New York City a viable place to produce film and television projects. I believe that the taking of private property through eminent domain and the shuttering of a successful business is inappropriate, especially when there are alternatives in the adjacent area that include underused and vacant buildings.

Eastern Effects is a business that contributes to the culture of our great nation and supports over 200 jobs with an expansion plan in place to bring even more employment opportunities to the Borough of Brooklyn.

I urge you to reject this plan as it would destroy an economic engine in our City.

Sincerely,

A handwritten signature in blue ink that reads "Velmanette Montgomery". The signature is fluid and cursive, with the first name being particularly prominent.

Senator Velmanette Montgomery
25th Senate District

cc: Elected Officials
Community Stakeholders

From: [Mugdan, Walter](mailto:Mugdan.Walter)
To: [Singerman, Joel](mailto:Singerman.Joel); [Carr, Brian](mailto:Carr.Brian)
Subject: FW: Letter re: Pending Agreement Between the EPA and the City of New York.
Date: Thursday, June 02, 2016 8:08:37 AM

From: CG CORD [<mailto:cgcord@gmail.com>]
Sent: Tuesday, May 31, 2016 3:01 PM
To: Mccarthy, Gina <McCarthy.Gina@epa.gov>
Cc: Enck, Judith <Enck.Judith@epa.gov>; Mugdan, Walter <Mugdan.Walter@epa.gov>
Subject: Letter re: Pending Agreement Between the EPA and the City of New York.

Dear Administrator McCarthy, Administrator Enck and Director Mugdan,

It is with deeply conflicting emotions and heavy hearts that we write to you regarding the pending agreement between the EPA and the City of New York.

Our organization, CORD, is a completely volunteer group. We are local residents, home owners, business owners, parents, children and grandparents. We do not have nor have we ever sought not for profit status. We receive funds from no one and we do not seek or accept donations. We devote our time to our community simply because we care.

Once the Gowanus Canal was nominated to the NPL, we spent a great deal of time advocating for it. We celebrated its listing. We championed your presence in our neighborhood and we listened very carefully to you.

We immediately applied for and became members of the Community Advisory Group and carried back all of the information we received there to our members.

We established a relationship with our EPA "team". We rejoiced in the accessibility and transparency they provided. We grew fond of them and still believe that they represent the finest example of how any government agency and its employees should conduct themselves.

When the ROD was issued, because we were listening carefully, we understood that the only "negotiable" part of the ROD was the inclusion of a containment facility in Red Hook. The Red Hook community said 'NO' and it was dropped.

But, in spite of the fact that EPA often spoke of how they do not get involved in land use--and that only the containment facility was negotiable, the retention tank sitings were suddenly up in the air.

We were certain that common sense, a sense of purpose and fiscal responsibility would prevail, but unfortunately, a grandiose Gowanus land use plan somewhat disguised as a crusade to save a swimming pool situated beneath contaminated earth, is going to delay the cleanup by a number of years, cost private property owners their land, businesses their livelihood, many employees their jobs and taxpayers a big hit to their pockets.

Add to the above the most painful cost of all--a recontamination of the expensive Canal cleanup before anyone gets to enjoy the fully realized benefits of this costly and complicated remediation.

We understand that EPA gets an assurance that NYC will not pursue litigation regarding the necessity of the retention tanks. Ok. That is a good thing, we suppose, but it comes at an extremely high price to the community and seems pitifully inequitable.

So, although we understand that the EPA has tried to make a deal with NYC that appeases some, eliminates the possibility of (even more) lengthy litigation, and eventually gets the job, "sort of" done, we so hoped and believed that "sort of" would never be good enough for our heroes at the EPA.

Finally, we cannot help but wonder what kind of precedent this will set with the other major PRP, National Grid as well as for other future Superfund sites.

We were the first ever Superfund site in NYC.

The plan and subsequent ROD was as big, bold, encompassing and complicated as the Gowanus is contaminated.

The cost analysis was calculated, thoughtful and responsible.

The rewards were to be enormous- a healthier environment, an urban waterway with drastically reduced toxins AND pathogens surrounded by many acres of open green space along its banks.

We loved it. We believed in it. We counted on it.

How tragic that this historic project will not be remembered in this way. Instead, it's legacy will be the Superfund site where the EPA did, indeed, get involved in land use.

It will be the site where a great deal of taxpayers' monies were spent on a job that was only "sort of" successful.

It's quasi clean condition necessitating further remediation post cleaning and capping will certainly appear wasteful- a black eye to the Superfund program since after all, you were supposed to be the final word.

And worst of all, the Superfund site where the Record of Decision became the Record of Indecision and Genuflection to Political Pressure brought to us by the Grand Puppeteers--the Development Gods of NYC.

It is all so terribly disheartening and sad.

Sincerely,

Lucy DeCarlo, Rita Miller, Triada Samaras
Co-Founders, CG CORD/Carroll Gardens-Gowanus Coalition for Respectful
Development

Web: <http://carrollgardenspetition.blogspot.com>

Email: cgcord@gmail.com

Cell: [917-558-6157](tel:917-558-6157)

From: [Mugdan, Walter](mailto:Mugdan.Walter)
To: [Singerman, Joel](mailto:Singerman.Joel); [Carr, Brian](mailto:Carr.Brian)
Subject: FW: Letter to the EPA re: the current deal on the table
Date: Thursday, June 02, 2016 8:08:50 AM

From: triada samaras [mailto:triadasamaras@gmail.com]
Sent: Tuesday, May 31, 2016 3:18 PM
To: Mccarthy, Gina <McCarthy.Gina@epa.gov>
Cc: Enck, Judith <Enck.Judith@epa.gov>; Mugdan, Walter <Mugdan.Walter@epa.gov>
Subject: Letter to the EPA re: the current deal on the table

Letter to the EPA re: the current deal on the table

Dear Superfund Director Walter Mugdan and EPA Administrator Judith Enck,

It is with many regrets that I write to you regarding your latest plans for the Gowanus Canal Clean-Up. Please understand I am long-time citizen activist who has spent untold hours, always as a volunteer, listening to you.

I have trusted you implicitly. I have believed in you. I have been with you every step of the way in the long and complicated Gowanus Canal Clean-Up process.

As a CAG member, I have reported your words back to the community and I have patiently explained your logic and your thinking in good faith, always believing that you had our highest interests foremost in your minds.

I am not paid by anyone to follow you. Nor am I part of any non-profit group or organization or greater plan. I belong to CG CORD which is an all volunteer coalition.

I am a resident, a home owner, a landlord, a community member, and a concerned citizen. My only objective has always been to advocate for **the smartest, fastest, most comprehensive and least expensive Gowanus Canal clean-up**. This is for the sake of my children, my neighbor's children, my children's children and for the sake of our shared eco system. In other words I care deeply about the present state of our community, the one in which we inhabit, and its future.

Nowhere in my thinking did I foresee a possible **delay** in the Gowanus Canal Clean-Up. Never in my wildest dreams did I foresee the **taking of three private properties** for the canal clean-up when **other properties "for sale" exist across the street as I write this**. In addition, developers like **Alloy** have tried to present valid and creative alternatives to the City.

Nowhere in my imagination did I imagine that the Gowanus Canal clean-up would involve a New York City **land grab**. Never did I foresee the calling of a contaminated area "**valuable parkland**." Nowhere in my wildest dreams did I imagine the Gowanus Canal would get **re-contaminated with CSO's** for years and years after the initial dredging was done!

And perhaps last and worst of all, never did I ever imagine **the Federally Funded EPA would be beholden to a PRP, the City of New York**.

You say this is the best you, the EPA, can do. And that you would like my comments now. This has been

a lot to wrap my head around. I am confused, bewildered and I feel betrayed. To me, it would appear as though you, the EPA, is rudderless, that you have caved into the demands of NYC, its ruthless politicians and political system, and that you have lost or gambled away whatever power you once had. I so hope I am wrong.

Therefore I can only say loudly and clearly:

"PLEASE GO BACK TO THE DRAWING BOARD!"

"PLEASE DO NOT SIGN THIS DEAL IN FRONT OF YOU WITH THE CITY!"

"PLEASE FIND ANOTHER AND A BETTER WAY!"

This deal rankles me on so many levels, some of which are mentioned above, But the primary one is this: We the residents have trusted you the EPA to do what is best for our community NOT what is politically expedient! We have entrusted you the EPA with the health and welfare of our children and our children's children! New York City is a PRP. How will making a deal with a PRP play out in the EPA's future in other communities?

Mr. Mugdan and Ms. Enck, PLEASE FIND AN ALTERNATIVE PLAN FOR THE GOWANUS CANAL!

I KNOW YOU CAN DO BETTER!

Sincerely yours,

Triada Samaras

Artist, Adjunct Art Professor, Art Professor in Residence
Kean University and William Paterson University, New Jersey

www.triadasamaras.com

warm regards, Triada Samaras

Artist, Adjunct Art Professor, Art Professor in Residence
Kean University and William Paterson University, New Jersey
www.triadasamaras.com
Cell 917-558-6157

From: [Mugdan, Walter](#)
To: [Singerman, Joel](#); [Carr, Brian](#)
Subject: FW: Oppose Inclusion of Eastern Effects Site
Date: Thursday, June 02, 2016 8:10:26 AM

From: rosen@men-of-science.com [mailto:rosen@men-of-science.com]
Sent: Tuesday, May 31, 2016 6:48 PM
To: Mugdan, Walter <Mugdan.Walter@epa.gov>
Subject: Oppose Inclusion of Eastern Effects Site

Mr Mugdan-

My name is David Rosen and I am television executive producer in NYC. I create and produce shows, which in NYC, is no easy task, as there are never enough production facilities to go around. Many jobs go to Canada or stay on the West Coast because of this. And our community loses money and employment.

That is why I vehemently oppose the inclusion of the Eastern Effects site in the EPA/DEP agreement, as a staging site during the construction of a sewer tank. The building should remain a TV Film staging site, so long as the businesses owner holds a lease to operate there. I ask the EPA to eliminate any use of the Eastern Effects film studio site from the proposed agreement.

I live in Carroll Gardens and am thrilled the canal is being cleaned. But please pick a better staging area. Keep entertainment jobs in NYC.

Thank you,

David

From: [Mugdan, Walter](#)
To: [Singerman, Joel](#); [Carr, Brian](#)
Subject: FW: Public Comment Period for Gowanus Canal Superfund Site
Date: Thursday, June 02, 2016 8:09:34 AM
Attachments: [Letter to EPA-5-31-16 Final.pdf](#)

From: Michael Stinson [mailto:stinsonm@assembly.state.ny.us]
Sent: Tuesday, May 31, 2016 4:20 PM
To: Mugdan, Walter <Mugdan.Walter@epa.gov>
Subject: Public Comment Period for Gowanus Canal Superfund Site

Hi Mr. Mugdan,

Please see attached a letter from Assemblymember Jo Anne Simon regarding the public comment period for the Gowanus Canal Superfund Site. If you have any questions, feel free to contact me.

Regards,

Mike

Michael Stinson
Chief of Staff
Assemblymember Jo Anne Simon
New York State Assembly-District 52
341 Smith Street
Brooklyn, NY 11231
718-246-4889
FAX: 718-246-4895



Jo Anne Simon
Assemblymember 52nd District

District Office
341 Smith Street
Brooklyn, NY 11231
Telephone: 718-246-4889
Fax: 718-246-4895

THE ASSEMBLY STATE OF NEW YORK ALBANY

COMMITTEES
Consumer Affairs
Higher Education
Judiciary
Labor
Transportation

Chair
Sub-Committee
Tuition Assistance Program

May 31, 2016

Mr. Walter Mugdan
U.S. EPA Region 2 - Superfund Director
290 Broadway, 19th Floor
New York, N.Y. 10007

Dear Mr. Walter Mugdan:

I write in response to the United States Environmental Protection Agency's ("EPA") invitation to comment on the draft agreement between the EPA and New York City's Department of Environmental Protection (DEP).

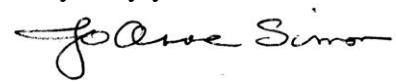
As you may know, I fully support the central purpose of the agreement, that is to site the sewage and storm water retention tank at the head of the canal on Nevins Street between Butler Street and DeGraw Street.

At the hearing on April 25, 2016 representatives of Eastern Effects, a thriving film production studio located at 270 Nevins Street, requested that the property on which its studio was located not be taken by eminent domain for purposes of staging for the construction of the intended sewage and storm water retention tank. It presents a compelling case for remaining at its current location and for the EPA and DEP to locate another, less economically disruptive site at which to stage the necessary operations. Eastern effects has invested over \$5 million to upgrade this old storage building to meet current codes and to qualify for eligible for New York State Film Production tax credits as a Qualified Production Facility for Level 2 Productions. This is a significant undertaking and only a few other such locations so qualify, among them Steiner Studios at the Brooklyn Navy Yard and the famed Radio City Music Hall. Moreover, Eastern Effects supports 200 full-time jobs in our community and has leased its facilities to the highly successful television show, "The Americans," since 2012.

I understand that Eastern Effects is willing to accommodate in situ stabilization of coal tar beneath its building. I believe that retaining businesses, such as Eastern Effects, in Gowanus is critical for the long-term sustainability of the area. It is precisely the type of business we need cultivate and support in this area.

For all the above reason, I ask that the agency give considerable weight to the benefits of Eastern Effects to the area's economy and give serious consideration to securing another site for staging purposes.

Very truly yours,

A handwritten signature in black ink that reads "Jo Anne Simon". The signature is written in a cursive style with a large, stylized initial "J".

Jo Anne Simon
Member of Assembly

From: [Maryann Young](#)
To: mudgan.walter@epa.gov
Cc: [Mccarthy, Gina](#); [Enck, Judith](#)
Subject: Public Comment re EPA and City of New York agreement
Date: Tuesday, May 31, 2016 4:58:53 PM
Attachments: [epa_public response 2016 2.docx](#)

Attached is my public comment for consideration....

May 31, 2016

Re: Gowanus Canal Administrative Settlement Agreement and Order for Remedial Design, Removal Action and Cost Recovery

Dear Director Walter Mugdan:

I appreciate your administrative team's effort in trying to mediate the EPA's Superfund position with the City of New York and coming out to Brooklyn to explain it. However, I still believe that Glenn Kelly was on target with his comment that the agreement between EPA and the City of New York may very well be "a problem to a solution rather than a solution to a problem." I am writing to ask you to consider that possibility and either reject the agreement or amend it to prevent any delay and move the remediation forward as stated in the ROD. Please don't allow the City to alter or change what has been thoroughly researched, written, approved and signed off in the ROD.

When I started my involvement in community activism, I was just an observer. As I sat and listened to the many different layers of viewpoints, I sensed that many community members all have experienced the City's evasive tactics for many decades. This agreement reminded of the day that Cas Holloway from the City of New York presented the City's grand Alternate clean-up plans to the community. They spent thousands of dollars to divert the nomination. It seems that we have circled back to their plan. If so, I plead with you not to let that happen or we will lose the timely momentum that have been achieved toward the clean-up already.

Around 2008, I joined a group of grassroots activists to preserve and protect our community. I had no financial or political aspiration to get involved, only a love for a neighborhood I called my "home". During my involvement, I have been so honored to have met many genuinely kind, generous and selfless individuals. They have become my heroes and now my extended family (Pardon Me for Asking blogger, Katia Kelly and her husband Glenn Kelly; CORD founders, Rita Miller, Triada Samaras, Lucy deCarlos; FROGG founders, Linda Mariano, and Marlene Donnelly, and so many others) These people matched my beliefs in wanting to protect and preserve the historic beauty and open space we were so lucky to have and live in.

Around 2009 a new group of people were added to my list. It was You and the Region 2 staff (Christos Tsiamis, Natalie Loney, and Brian Carr). I hung on every word you said. You and your team were straightforward and sincere to our concerns. You and your team left us feeling safe. You were known among us as the "white knight on a white horse" here to finally stand for what you represented as a government agency to protect the environment and the health and safety of the people. You promised transparency, you promised to work and listen to our community and you kept those promises. I created buttons to send out our message and to stand strong with those who were sent to protect our environment. I wore my buttons proudly and I meant every word that was written. With your support and guidance, we formed a CAG group and combined over 60 community organizations and at large members to report back to you of what we needed. You listened and understood our concerns and accommodated where you could. When the ROD was signed, sealed and delivered to us. We all believed this was the LAW, a powerful tool to move the cleanup forward. We believed the assurance that if a PRP doesn't take action that the EPA Superfund takes over and does the work and afterward retrieves 3Xs times the cost back. The Region 2 team amazed us with their commitment and their determination we were finally seeing the light on the other side of the tunnel.

This agreement with the City of New York, however throws me off that path of hope for a clean canal. I fear that the extended time you allowed the City the further away our goal to a clean and healthy canal will be. You and your staff will retire and new members with little knowledge and commitment will let the time slip further. The agreement is too open for interpretation and I feel the City will find again another loophole.

I believe and stand by Katia Kelly, PardonMeforAsking blogger of her thorough analysis of this action you are about to embark into with the City. This is a land grab and the City is using your sense of fairness against you and us and it seems that the EPA Administrative team has given up and dismissed the plead of the whole community.

The amazing CORD ladies have captured and summed up in their public comment sent to you on May 24, 2016 **which bears repeating*** (see boxed comment) all my disappointment, as well as my confusion on the pending agreement between the EPA and the City of New York.

Yes," it is all so terribly disheartening and sad."

CORD founders (Rita Miller, Triada Samaras, Lucy deCarlos), Katia Kelly, Marlene Donnelly, and Linda Mariano have always spoken "truth to power" and have always been dedicated to the purest form of community activism. They continuously fight to do the right thing voluntarily with no political or financial aspiration. Lately they have been villainized by nonprofit groups who receive funding from the City of New York and accused of environmental injustice in order to weaken their credibility. If you know them as I do, all these false accusations are deterrents. In reality, they have inspired me to always do the right thing and never give up. They are the true meaning of Margaret Mead's quote: "Never doubt that a small group of thoughtful committed citizens can change the world, indeed, it's the only thing that ever has."

If the agreement with EPA and the City is a done deal will you seriously consider CORD, FROGG and Katia Kelly's concerns and amend the agreement accordingly. Will you do the right thing too and stand with us again to move the full cleanup of the Gowanus Canal forward without further delay?

Yours respectfully,

Maryann Young

Owner/Resident Carroll Gardens, and CORD Alternate, CAG

=====

*CORD wrote:

"It is with deeply conflicting emotions and heavy hearts that we write to you regarding the pending agreement between the EPA and the City of New York.

Our organization, CORD, is a completely volunteer group. We are local residents, home owners, business owners,

parents, children and grandparents. We do not have nor have we ever sought not for profit status. We receive funds from no one and we do not seek or accept donations. We devote our time to our community simply because we care.

Once the Gowanus Canal was nominated to the NPL, we spent a great of time advocating for it. We celebrated its listing. We championed your presence in our neighborhood and we listened very carefully to you.

We immediately applied for and became members of the Community Advisory Group and carried back all of the information we received there to our members.

We established a relationship with our EPA "team". We rejoiced in the accessibility and transparency they provided. We grew fond of them and still believe that they represent the finest example of how any government agency and its employees should conduct themselves.

When the ROD was issued, because we were listening carefully, we understood that the only "negotiable" part of the ROD was the inclusion of a containment facility in Red Hook. The Red Hook community said 'NO' and it was dropped.

But, in spite of the fact that EPA often spoke of how they do not get involved in land use--and that only the containment facility was negotiable, the retention tank sitings were suddenly up in the air.

We were certain that common sense, a sense of purpose and fiscal responsibility would prevail, but unfortunately, a grandiose Gowanus land use plan somewhat disguised as a crusade to save a swimming pool situated beneath contaminated earth, is going to delay the cleanup by a number of years, cost private property owners their land, businesses their livelihood, many employees their jobs and taxpayers a big hit to their pockets.

Add to the above the most painful cost of all--a recontamination of the expensive Canal cleanup before anyone gets to enjoy the fully realized benefits of this costly and complicated remediation.

We understand that EPA gets an assurance that NYC will not pursue litigation regarding the necessity of the retention tanks. Ok. That is a good thing, we suppose, but it comes at an extremely high price to the community and seems pitifully inequitable.

So, although we understand that the EPA has tried to make a deal with NYC that appeases some, eliminates the possibility of (even more) lengthy litigation, and eventually gets the job, "sort of" done, we so hoped and believed that "sort of" would never be good enough for our heroes at the EPA.

Finally, we cannot help but wonder what kind of precedent this will set with the other major PRP, National Grid as well as for other future Superfund sites.

We were the first ever Superfund site in NYC.

The plan and subsequent ROD was as big, bold, encompassing and complicated as the Gowanus is contaminated.

The cost analysis was calculated, thoughtful and responsible.

The rewards were to be enormous- a healthier environment, an urban waterway with drastically reduced toxins AND pathogens surrounded by many acres of open green space along its banks.

We loved it. We believed in it. We counted on it.

How tragic that this historic project will not be remembered in this way. Instead, it's legacy will be the Superfund site where the EPA did, indeed, get involved in land use.

It will be the site where a great deal of taxpayers' monies was spent on a job that was only "sort of" successful.

It's quasi clean condition necessitating further remediation post cleaning and capping will certainly appear wasteful--a black eye to the Superfund program since after all, you were supposed to be the final word.

And worst of all, the Superfund site where the Record of Decision became the Record of Indecision and Genuflection to Political Pressure brought to us by the Grand Puppeteers--the Development Gods of NYC.

It is all so terribly disheartening and sad."

CC:

EPA Administrator, Gina McCarthy

EPA Regional 2 Administrator, Judith Enck

Mayor Bill DeBlasio

NY State Senator, Velmanette Montgomery

United States Congresswoman, Nydia Velázquez

Assemblywoman, Jo Anne Simon

Councilman Brad Lander

Councilman Steve Levin

From: [Leissing, Theodore O.](#)
To: [Mugdan, Walter](#)
Cc: [Carr, Brian](#); [Riccobono, Donna L.](#)
Subject: RE: National Grid Comments on NYC CSO Tank ACO
Date: Tuesday, May 31, 2016 3:29:15 PM
Attachments: [National Grid Comments on NYC ACO for CSO Tank.pdf](#)

Attachment enclosed.

From: Leissing, Theodore O.
Sent: Tuesday, May 31, 2016 3:23 PM
To: Walter Mugdan (mugdan.walter@epa.gov)
Cc: Carr, Brian; Riccobono, Donna L.
Subject: National Grid Comments on NYC CSO Tank ACO

Mr. Mugdan:

Attached are National Grid's comments on the draft Administrative Settlement Agreement and Order (Draft Order) between the United States Environmental Protection Agency (EPA) and the City of New York (City) issued on April 14, 2016 regarding the siting and design of a large Combined Sewer Overflow (CSO) tank to be situated at the head of the Gowanus Canal.

National Grid appreciated the opportunity to comment on the draft order.

Regards,

Ted Leissing

Ted Leissing
Manager - Long Island / New York City Area
Site Investigation & Remediation
nationalgrid
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<http://www.nationalgrid.com/corporate/legal/registeredoffices.htm>

May 31, 2016

VIA E-MAIL

Walter Mugdan
Director, Superfund Emergency and Remedial Response Division
United States Environmental Protection Agency – Region 2
290 Broadway, Floor 19
New York, NY 10007
mugdan.walter@epa.gov

**Re: Gowanus Canal Superfund Site
Proposed Administrative Settlement Agreement and Order for Remedial
Design, Removal Action and Cost Recovery between the City of New York and
the United States Environmental Protection Agency**

Dear Mr. Mugdan:

The Brooklyn Union Gas Co. d/b/a National Grid (National Grid) appreciates the opportunity to comment on the draft Administrative Settlement Agreement and Order (Draft Order) between the United States Environmental Protection Agency (EPA) and the City of New York (City) issued on April 14, 2016 regarding the siting and design of a large Combined Sewer Overflow (CSO) tank to be situated at the head of the Gowanus Canal.

National Grid continues its long-standing support of the EPA's efforts to clean up the Gowanus Canal, improve the quality of this water body, and enhance its value to the neighboring community. In support of this initiative, National Grid has been moving forward with a remedial design for its upland legacy manufactured gas plant (MGP) sites pursuant to a consent order with the State of New York (NYS) and, together with other responsible parties, is working cooperatively with the EPA to develop a constructible design for the cleanup of the Canal.

As a preliminary matter, National Grid notes that many provisions of the Draft Order reference significant potential requirements that EPA intends to impose on National Grid in the future. National Grid has not been a party to the negotiations between the EPA and NYC on this Draft Order and, of course, will not be a signatory to the final Order. As such, the Order with the City should not include references to potential future EPA requirements planned for National Grid before negotiations between National Grid and EPA for any such requirements have been conducted.

National Grid's comments on the Draft Order are presented below in two sections. The first section provides general comments focusing on potential remedial actions at Parcel II of the Fulton MGP Site (the Park Property) and the Canal-Site properties (Parcels VI/VII of the Fulton MGP Site). This section is followed by specific comments related to particular paragraphs of the Draft Order.

I. General Comments

As an overarching matter, National Grid opposes the provisions of the proposed Draft Order regarding the timing, sequencing and necessity of remedial actions at the Park Property as well as the sequencing of the work at Parcel VI/VII.

The key elements of the Order related to the EPA's position on the timing, sequencing and necessity of remedial actions at the Park Property are presented in Paragraph 26 of the Draft Order which states:

Timely control of major ongoing sources of contamination is among the major elements of the ROD for the Site. The Fulton ROD does not specify when source control will occur at the affected Fulton MGP Site parcels. EPA has determined that a timely removal action must be implemented at the Park Property (Parcel II) prior to implementation of the Remedial Action for the Site, regardless of the final location of the RH-034 Tank. It is EPA's present expectation that the Park Property cleanup, including siting and construction of a temporary park and restoration of the Park Property, will be performed pursuant to a future enforcement order between EPA and National Grid, and in coordination with NYSDEC. In the event EPA requires Respondent to site the RH-034 tank at the Park Property pursuant to Paragraph 47, it is the intent of the parties that construction of the tank will be performed subsequent to National Grid's design and performance of the above-referenced removal action.

National Grid does not agree with three fundamental elements of this paragraph:

- **The assertion that the NYSDEC Fulton ROD does not specify when source control will occur.** The July 2015 NYSDEC Record of Decision (ROD) for the Fulton Site requires National Grid to install a barrier wall along the east bank of the Gowanus Canal to “prevent migration of coal tar to the canal from Parcels I, II, III, IV, VI and VII.” NYSDEC has already approved the 30% design for the barrier wall remedy element and the design is actively progressing to completion. This barrier wall is the source control and it will be constructed in the near term.
- **The assertion that a timely removal action must be implemented at the Park Property.** The Draft Order is not consistent with the prior findings in the NYSDEC ROD where NYSDEC and the NYS Department of Health (DOH) concluded, based on their review of the site-specific data, that: a) under current conditions there are no exposure pathways to Park users and employees; b) therefore the Park poses no risk, and c) near term remediation of the Park was not necessary and could be combined with a future Park redevelopment plan. Based on the NYSDEC ROD, the Park can and should remain in service until a redevelopment plan (such as the CSO tank siting) or a park upgrade plan is put in place.
- **The CSO tank construction and remedial sequencing proposed in the Order.** Implementation as described in the Draft Order would effectively result in two separate, successive construction projects at the Park Property, significantly increasing the duration of construction impacts (such as noise, traffic, dust) to the community from an unnecessary extension of the construction duration.

In addition, the Draft Order improperly places responsibility for Park relocation and restoration on National Grid, despite: (i) the City's ownership of the Park Property, and (ii) the potential for CSO tank siting and construction at the Park, which will itself require the excavation of a significant amount of material. Rather, the responsibility for this Park-related work should be shared equitably between National Grid and the City.

Finally, if the decision is made to locate the tank at Parcels VI/VII, the sequencing suggested in the Draft Order, which would have National Grid perform work outside of the tank footprint first, is inefficient and will also result in an unnecessary increase in the duration of construction related impacts to the community.

National Grid's primary points of disagreement are detailed further in the sections numbered 1 through 4 below.

- 1. Contrary to EPA's statement in Paragraph 26 of the Draft Order that the Fulton ROD "does not specify when source control will occur," the Fulton ROD clearly provides for the near-term installation of a barrier wall to control potential migration from the Fulton parcels.**

The Near Term Actions described in the NYSDEC ROD for the Fulton Site include the design and installation of a subsurface barrier wall along the east bank of the Gowanus Canal to "*prevent migration of coal tar to the canal from Parcels I, II, III, IV, VI and VII.*" National Grid has worked diligently with NYSDEC to select and design a barrier wall and is currently progressing the NYSDEC-approved 30% design to final design so that it can be installed in advance of the canal dredging remedy. The 30% design, which was approved by NYSDEC in January 2016, includes a cantilever king pile wall instead of a bulkhead with a tie back system, which was carefully selected by NYSDEC to be less disruptive to the adjacent private properties and to be responsive to the canal-related remediation timeline. Consistent with the Fulton ROD, this barrier wall is being designed to prevent potential migration of former MGP residuals to the Canal, support the EPA's canal dredging remedy, and facilitate current and potential future uses of adjacent properties, including the potential siting of the CSO tank or other proposed redevelopment on Parcels VI and VII.

The Draft Order also appears to require that a removal action occur in the Park prior to the installation of the barrier wall. This sequence is directly contrary to the intent of the near-term and future remedial action sequence developed by NYSDEC in the Fulton ROD and could significantly extend the schedule for the wall design and construction and the Canal remedy timeline for RTA 1.

- 2. NYSDEC and NYSDOH have determined that MGP impacts at the Park location do not pose a threat to human health or the environment and should be remediated at such time as the land use is modified.**

National Grid has been working on the Fulton former MGP site remediation under the NYSDEC's comprehensive State MGP remediation program. In the ROD for the Fulton Site, NYSDEC states that under current conditions there are no exposure pathways to Park users and employees and therefore no risk to the community. The ROD indicates that the Park should be remediated only at such time that the Park Property is accessible. (ROD, p. 20; Responsiveness Summary, Responses 24 and 27.) The NYS Department of Health (DOH) also concluded that the pool and park are safe to use because there are no exposure pathways which could pose a hazard due to environmental conditions at this location. (ROD, Responsiveness Summary, Responses 38, 52, 56, and 57.)

NYSDEC has one of the most comprehensive and rigorous MGP remediation programs in the nation. The State's program includes a group dedicated to the oversight of investigations and cleanups of former MGP sites. NYSDEC's selected remedy in the Fulton ROD also provides remedial elements specifically designed to be protective of the EPA's canal remedy. The EPA has nevertheless stated that it is planning to override the determination by NYSDEC and NYSDOH in the NYSDEC's ROD and require more immediate action via a cleanup that is more extensive than the standard applied throughout the state and most of the nation.

3. Whether the tank is located at the Park or the Canal-Side properties, the sequencing of work specified by the Draft Order is inefficient.

In either siting scenario, the Draft Order requires that National Grid perform a remediation of some type prior to the City's implementation of tank construction. This sequence is inconsistent with the Fulton ROD requirements, the realities of construction logistics and efficiency, and the best interest of the community. Site selection and, at a minimum, determination of the footprint and depth of the tank needs to occur before design and remediation can proceed at either location.

- a. The Draft Order's requirement of a removal action at the Park independent of the CSO construction will result in the park and pool remaining out of service for a longer period of time with more disruption to the community and the environment than is otherwise necessary.**

National Grid opposed the provisions of the draft Order which describe EPA's apparent intention to require a nearer term remediation of the Park parcel before the tank siting decision is made. This sequence is contrary to the timing for remedial actions contained in the NYSDEC ROD for the Fulton Site and will cause significant additional impacts to the community. This multi-phased approach results in the community's only public park and swimming pool being removed from service for an extensive and unnecessary period of time. In addition, the sequencing described in the Draft Order will dramatically increase the carbon footprint of the remedial action without corresponding environmental benefit.

In the EPA's proposed Draft Order, the agency indicates its intention to require National Grid to first conduct a "removal action" at the park location, which would require the demolition of the existing park and swimming pool and the construction of a temporary facility located in the vicinity while that work is done. If the CSO tank is ultimately sited at the Park parcel, this area would then have to be addressed again to accommodate the tank construction. Under this approach, the Park would effectively be "excavated" twice and would remain out of service for a significantly longer period of time than would otherwise be necessary.

In addition to the park being taken out of service for an unnecessary extended period of time, this multi-phased approach cannot be considered "green or sustainable." Performing two significant construction efforts would result in increases in air emissions from trucks/construction equipment, fuel usage and waste production in the form of likely re-excavation of previously backfilled and/or solidified materials. In addition, the neighboring community would be impacted not once, but twice, by construction-related effects. Performing these projects sequentially as proposed by EPA in the Draft Order will only serve to significantly increase the number of trucks and associated community impacts.

NYSDEC has indicated that the park and pool can continue to be safely operated until there is a change in use or other need to change existing facilities at this location. National Grid respectfully submits that the community would be better served by requiring remedial actions at the Park location to occur only after a decision has been made as to whether the City's CSO tank will be located at the Park or at the Canal-Side parcels. Once that decision is made, the site can be addressed efficiently, in a coordinated manner in accordance with the existing NYSDEC ROD.

- b. Just as with the Park, the sequencing of work at the Canal-Side properties is inefficient and fails to recognize the critical importance of determining the tank location prior to remediation.**

Paragraph 44(g) of the Draft Order indicates that if an area outside of the CSO tank footprint for Parcel VI/VII requires remediation, National Grid will need to complete this work before the City starts its CSO excavation work within the tank footprint. As a preliminary matter, National Grid cannot do any work until the tank design is complete and the precise footprint is known. Moreover, having National Grid "go first" is not an efficient approach; it unnecessarily puts National Grid within the schedule sequence for the City's CSO tank project and would require a separate remedial action that could be more efficiently addressed together with the City's work within the CSO tank footprint, with appropriate cost sharing. Such a coordinated approach would also mitigate potential impacts to the neighboring community by performing the CSO construction and any remaining remedy outside the CSO footprint as one project instead of two.

Further, Paragraph 44(g) of the Draft Order assumes performance of a response action outside the footprint of the CSO will be necessary. This may not be the case depending on the results of planned pre-design investigation work and the actual location of the CSO tank. In addition, this paragraph also states that a remedy outside the CSO tank footprint would involve excavation and off-site disposal. Per the NYSDEC ROD for the Fulton Site, in the event a remedy is required, it may involve excavation and off-site disposal or in-situ solidification/stabilization (ISS).

- 4. The temporary relocation and subsequent restoration of the Park should follow a decision regarding land use of the parcel and costs should be shared equitably.**

As described above and consistent with the NYSDEC ROD, there are no exposure pathways and therefore no risks associated with impacts beneath the Park. If the CSO tank is sited at the Canal-Side properties, the timeline for remediation of the Park would depend on the New York City Department of Parks and Recreation (NYCDPR) schedule for upgrade of this park (ROD, Responsiveness Summary, Responses 23 and 24.) In that scenario, National Grid would expect that temporary relocation and restoration of the Park would be the responsibility of NYCDPR, as the City is the owner of the Park. In addition, unlike National Grid, the City has programs in place, expertise and personnel – indeed an entire department – to perform such functions.

The language of the Draft Order (including Paragraphs 3, 26, 44(i), and 44(j)) indicates that National Grid will be responsible for construction of a temporary park and restoration of the Park Property under both the Canal-Side and Park Property CSO siting scenarios. This assumption does not consider the fact that the extent of excavation required for the tank would far exceed the excavation required for remediation of either of the sites under the NYSDEC ROD.

Instead of placing responsibility for the work on National Grid, consistent with the Draft Order's approach to the Canal-Side parcels, site remedial work should be performed in conjunction with the City's tank construction work, including the excavation support, excavation, dewatering, and

restoration. At the Park location, the sequencing of work and division of responsibility should be the same, and costs should be shared equitably.

II. Comments Specific to Particular Provisions of the Draft Order

- **Paragraph 23:** A fundamental principle of Superfund practice is that source control of ongoing discharges of pollutants is an essential component of ensuring that a remedy will be successful and sustainable. With its comprehensive approach to managing environmental conditions at this sediment site, the EPA has undertaken steps to address the large volume of raw sewage that continues to be discharged into the Gowanus Canal from the City's aging CSO infrastructure. As a member of the group of parties who are working on the Canal's remedial design, National Grid believes that the effort to reduce the amount of raw sewage entering the Canal is critical to the project's success. The Draft Order indicates that the EPA "has taken into account, the [City]'s commitment to perform, under a future settlement, the removal...of contaminated CSO solids resulting from CSO discharges" that occur after the remedial dredging of the Canal, but before the tank is operable. National Grid believes this commitment should be a nondiscretionary requirement contained in the current Draft Order to ensure that the remedy does not immediately fail because of the lack of alignment in sequencing of steps in this cleanup program.

Specifically, the Order allows the City four years to obtain the City's preferred location or 2020 at the earliest to take possession. Next, construction of the tank is expected to continue for several years. Next, actual on-line activation of the tank is unknown, but likely to add another several years. Given that the City's sediment control is therefore at least a decade away, the City should be required to conduct ongoing sediment removal so the remedy is not impaired. Unless a successful remedy is defined to include the continual deposition of CSO sediments, the Gowanus remedy cannot be considered successful without sufficient CSO sediment control.

- **Paragraph 24:** In describing the historical and current uses of the Fulton MGP parcels, the Draft Order does not mention a number of significant industrial uses that have likely impacted the sites. In particular, Parcel I post-MGP operations and land use included, among others, a gasoline UST beneath the building, T.E. Conklin Brass & Copper warehousing from at least 1969 to 2007, and two gasoline USTs in the current parking area on the southwestern side of the building. With respect to Parcels VI and VII, historic and current uses include, among others, office space, truck and other vehicle repair garage and vehicle, equipment, and material storage. There was a documented release of No. 2 fuel oil on Parcel VI in 2005 that spread across the parking lot and extended to the bulkhead area. Site investigations performed to date have identified both MGP and non-MGP impacts on both parcels.

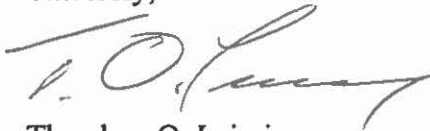
- **Paragraph 25:** Contrary to the statements contained in this paragraph, the NYSDEC DEC ROD does not require "removal of MGP-related contamination within a utility corridor along Nevins and Degraw Streets." As part of the Near Term Actions, the NYSDEC ROD requires the potential for coal tar migration into utility corridors within the area of the intersection of Nevins and Degraw Streets be assessed during the remedial design and a remedial action plan be developed to address identified impacts to shallow utility corridors. The potential for encountering MGP related soil impacts in the utility corridors near the intersection of Nevins and Degraw Streets was assessed as part of National Grid's recently completed pre-design investigation (PDI) for the Fulton Site. As described in the NYSDEC-approved Remedial Design Work Plan (RDWP), National Grid consultants were on-site between December 2014 and April 2015 to observe potential impacts at this intersection area during excavation and installation of new natural gas lines. In general, there

were no significant MGP-related impacts observed in the shallow soils (0-3' bgs) during the gas line installation work. Based on the limited impacts observed, it is anticipated that the potential for encountering MGP or other impacts during future shallow utility work will be addressed by a Site Management Plan (SMP), which will include worker health and safety protocols and impacted soil and groundwater management procedures.

Furthermore, the NYSDEC ROD does not necessarily require excavation and stabilization of MGP-related contamination as stated in this Paragraph. Under the ROD's Future Actions, Section 8A – Excavation/Stabilization of MGP Structures and Source Materials, excavation of former MGP structures and grossly impacted soils on Parcels I, II, III, and IV will be required when each parcel becomes available. With respect to Parcels VI and VII, Section 8B (entitled Additional Source Removal Evaluation Areas) requires the need for additional soil removal be evaluated via PDIs designed to determine the extent of contamination outside the limits of the MGP structure excavations for those areas that exhibited source material at elevations above the meadow mat soil layer that is present approximately 20 feet below ground surface (bgs).

Thank you for your consideration of these comments.

Sincerely,



Theodore O. Leissing
Area Manager – Site Investigation & Remediation
Environmental Management Department
National Grid

cc: Brian Carr, Esq. (EPA)
Donna Riccobono, Esq. (National Grid)

From: [Mugdan, Walter](#)
To: [Singerman, Joel](#); [Carr, Brian](#)
Subject: FW: Riverkeeper Comments on the Administrative Settlement Agreement and Order For the Gowanus Canal CERCLA-02-2016-2003
Date: Thursday, June 02, 2016 8:10:24 AM
Attachments: [Riverkeeper Comments on Gowanus.053116.pdf](#)
[ATT00001.htm](#)
[50Years_email_logo.jpg](#)
[ATT00002.htm](#)

From: John Parker [mailto:jparker@riverkeeper.org]
Sent: Tuesday, May 31, 2016 5:06 PM
To: Mugdan, Walter <Mugdan.Walter@epa.gov>
Subject: Riverkeeper Comments on the Administrative Settlement Agreement and Order For the Gowanus Canal CERCLA-02-2016-2003

Dear Director Mudgan:

Please accept the attached comments submitted by Riverkeeper in the above referenced proceeding.

Thank you for your attention to this matter.

Regards,

John



RIVERKEEPER.



Sent via email

May 31, 2016

Walter Mugdan, Director
Emergency and Remedial Response Division
U.S. Environmental Protection Agency, Region 2
290 Broadway
New York, NY 10007

Re: COMMENTS ON ADMINISTRATIVE SETTLEMENT AGREEMENT AND ORDER FOR REMEDIAL DESIGN, REMOVAL ACTION AND COST RECOVERY IN THE MATTER OF THE GOWANUS CANAL SUPERFUND SITE, ADMINISTRATIVE SETTLEMENT AGREEMENT AND ORDER, INDEX NO. CERCLA-02-2016-2003

Dear Mr. Mugdan,

On behalf of Riverkeeper and its members, as well as the Gowanus Canal waterway itself, please accept these comments on the proposed Administrative Settlement Agreement and Order for Remedial Design, Removal Action and Cost Recovery ("Order") between the U.S. Environmental Protection Agency ("EPA") and New York City ("City") pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA").¹

Superfund's driving purpose, and legal mandate, is the protection of public health and the environment. CERCLA and the Record of Decision both clearly and unambiguously prioritize timely and cost-effective solutions over delay. The community has been burdened by centuries of pollution. We urge EPA to:

- Reconsider the terms of the Order
- Remove the Head of Canal Site from Consideration as the CSO Tank Location
- Select the Tank Location that Presents the Least Engineering Complexity

¹ 42 U.S.C. § 1906 *et seq.*

- Select the Most Cost Effective Tank Location that Can Be Constructed in the Least Amount of Time
- Select the Thomas Greene Park Site Location for the RH-034 CSO tank
- Begin Site Preparation Immediately

For the reasons discussed below, it is clear that the currently proposed Order represents a needless and dangerous delay that the Canal and the community cannot afford. Riverkeeper recommends that the EPA amend this Order to require that the Park site be selected for the RH-034 CSO tank, and that the City and National Grid begin site preparation as soon as possible.

BACKGROUND: THE RECORD OF DECISION AND THE ORDER

According to the Record of Decision for the Gowanus Canal Superfund Site (“Canal”), discharges from upland contaminated areas adjacent to the canal, storm sewers, and, of concern with this proposed Order, combined sewer system outfalls (“CSOs”) “continue to contribute contaminants to the canal.”² Therefore, the EPA concluded that addressing these ongoing contaminant contributions to the canal from CSO sources was a “prerequisite to a sustainable remedy for canal sediments.”³ In the Record of Decision, the EPA required the City to construct in-line CSO retention tanks at the two largest CSO outfalls in the system, termed RH-034, near the top of the canal, and OH-007, near the middle of the canal. *We agree with the approach set forth in the Record of Decision.*

At issue here is the EPA’s recent decision to enter into an administrative consent order selecting a site for the largest of the two CSO tanks (RH-034), and establishing a new schedule for the City’s tank construction timeframe. Put simply, the Record of Decision assumes that this CSO tank should be sited below the Thomas Green Park (“the Park site”). The EPA has repeatedly expressed its professional opinion that this location would be the quickest, most feasible, and least costly site choice. The City, on the other hand, lobbied to site the CSO tank below two privately owned parcels alongside the canal (“the Head-of-Canal site”).

In the Order, the EPA acceded to the City’s preference, allowing the City four years to acquire the site. Once acquired, National Grid and the City will have another three years, approximately, to prepare and excavate the hole in the ground for the CSO tank construction at the chosen site. During the April 25, 2016 public hearing, the EPA identified the reasons why the Head-of-Canal site was ultimately chosen:

² Record of Decision at 3.

³ Record of Decision at 12.

- First, the EPA noted that constructing the CSO tank at the Park site “could be done more quickly, more easily and at less expense than the Head-of-Canal location.”⁴
- Second, despite disagreeing completely with the City contentions, the EPA weighed the City’s concerns about “longer than necessary disruption and the potential permanent loss of space at the Thomas Greene Park.”⁵
- Third, and again despite confidence that if it came to litigation that the EPA “would prevail,” the EPA considered the City’s proposed agreement in this Order, “now and forever ... to waive its right to legally challenge the CSO elements of the record of decision.”⁶

“[N]otwithstanding what will be disappointing to [the community] about the extended schedule” resulting from the Head-of-Canal siting decision, and for these reasons, the EPA decided against choosing the Park site for the RH-034 CSO tank.⁷

All other Record of Decision implementation details, such as timeframes for when the CSO tanks will be constructed or come online, or what will happen to new contamination that accumulates over newly cleaned sediments (while site acquisition and preparation occur pursuant to this Order), will be subject to some yet to be negotiated future administrative and judicial orders. *The Order is solely concerned with the seven-year plan for the City to acquire the Head-of-Canal parcels and excavate the site in preparation for a future remedial action.*

I. THE ORDER DOUBLES THE TIME OF CONSTRUCTION FOR THE NECESSARY CSO TANKS BECAUSE THE HEAD-OF-CANAL LOCATION DECISION IS CONTRARY TO THE RECORD OF DECISION, AND IS AN UNACCEPTABLE DELAY.

In listing the Canal as a Superfund site, the EPA declared that its intention was to develop a remedy that reduces human health and environmental risks from PAHs in sediments, PCBs in fish and shellfish, metal exposure pathways, and NAPL migration into the Canal.⁸ After completing its investigation, the EPA determined, based on a

⁴ EPA Public Meeting, Walter Mugdan, April 25, 2016 at 23.

⁵ *Id.*

⁶ *Id.* at 40-41.

⁷ *Id.* at 41.

⁸ Record of Decision at 44-45. Preservation of open space is not part of the stated goals of the Canal Record of Decision.

number of factors, that CSOs are a significant source of contaminants to the Canal. Thus, according to the EPA, “[a]ddressing ongoing contaminant contributions to the canal from [CSOs] is a prerequisite to a sustainable remedy for canal sediments.”⁹

The “single largest contributor to CSO discharges” is the RH-034 outfall at the head of the Canal.¹⁰ When the Flushing tunnel is operating, the contamination from this outfall can be transported down the Canal into the Bay and the Harbor. Indeed, the City concluded (as cited in the Record of Decision), that discharges from RH-034 “dominate the CSO impacts throughout the entire Canal.”¹¹ Over time, annual discharges from RH-034 and OH-007 will “contribute approximately 97 percent of the total annual CSO flow into the canal.”¹²

Due to the unique nature of CSO discharges, and in order to prevent site recontamination, the Record of Decision demands that upland sources of hazardous substances, including discharges from CSOs “must be addressed *prior to the commencement of, or in phased coordination with, the implementation of the selected remedy.*”¹³ The coordination of upland cleanups, CSO controls and the sediment dredging remedy “is necessary for a comprehensive and sustainable remedy.”¹⁴ The EPA clarified that, “[i]deally, contaminated CSO solids control *would be in place before the implementation of the remedy for canal sediments.*”¹⁵

The Record of Decision timelines are particularly relevant, as the upper canal, which is where dredging will commence, “is the reach most affected by the deposition of solids from CSO discharges.”¹⁶ EPA research shows “that most of the accumulation of sediment coincides with the canal location (upper reach) where most of the CSOs are located and the highest CSO volumetric discharges take place.”¹⁷ Thus, the capture of

⁹ Record of Decision at 12.

¹⁰ Record of Decision at 27.

¹¹ *Id.*

¹² Record of Decision at 6.

¹³ Record of Decision at ii. *Emphasis added.*

¹⁴ Record of Decision at 87.

¹⁵ Record of Decision at 75. *Emphasis added.*

¹⁶ Record of Decision at 26.

¹⁷ Record of Decision at 28.

these high-volume, toxic CSO discharges at the head of the canal – specifically from RH-034 – is the most vital first step of the entire remediation process.

Unfortunately, the Order results in delays that undermine the entire cascading-removal plan developed in the Record of Decision for the gradual remediation of the Canal. In an email obtained by Riverkeeper through a Freedom of Information Act (“FOIA”) request, one member of the EPA’s Canal team summarized this delay as follows:

“Given that the City’s June 30, 2015 preliminary tank design report said that the site preparation (including cleanup) and tank construction would take 7 years after the acquisition and design, this means that the tank would be in service in late 2026, 7 years after dredging of [the upper reach of the Canal] was complete, and 4 years after all dredging.”¹⁸

In other documents obtained in the same release, similar observations were made. One timeline-summarizing document laid out the entire calendar of events, and noted that actual construction “doesn’t start until mid-2021 – six years from [2015].”¹⁹ The City estimated, for this EPA summary, that “it will take 11 years to build the tank at the location along the side of the Canal.”²⁰ *This would mean over a decade more of ongoing CSO contamination of the Canal, and at least several years where downstream dredging operations would be burdened by repeated, significant, toxic CSO discharges – in direct contravention of the goals of the Record of Decision.*

EPA has a dramatically different estimate as to when the CSO tanks could be built if the Park site location is chosen instead of the Head-of-Canal site. According to this timeline comparison document:

- excavation design would take one year (compared to the City’s Head-of-Canal site proposed 3 years of design);
- excavation itself would take one year (compared to the City’s Head-of-Canal site requested two years);
- designing the tanks would have completed by the time these excavation two years were over; and

¹⁸ B. Carr email to EPA team, December 3, 2015 (summarizing NYC’s proposed schedule amendments).

¹⁹ C. Tsiamis document prepared for W. Mugdan, October 8, 2015 (including a timeline summary of proposed City plan with the Head-of-Canal site selected).

²⁰ *Id.*

- tank construction could take 3 years, “based on EPA’s construction experience and survey of similar projects”²¹ (compared to the unknown length of time for construction at the Head-of-Canal site, where no designs have been submitted yet).²²

“EPA’s projected schedule for construction of the tank at the Park will be 6 years,” compared to the 11 years it could take (or likely longer) at the Head-of-Canal site.²³ The EPA noted internally that this means:

“construction of the tank along the side of the canal will take *nearly twice as long* as constructing the tank at the park. That does not include significant additional time that we envision will be added as a result of disputes regarding the contamination of [the National Grid MGP site] and *multi-year investigations* that might be conducted by both National Grid and New York City at that site in order to allocate responsibility for the excavation at that parcel.”²⁴

²¹ *Id.*

²² Note that there are also no proposed timelines for CSO tank construction at the Head-of-Canal site. At the EPA public meeting for this Order, Walter Mugdan noted that after Head-of-Canal site excavation (which might take a year), the City needs to “be ready to move ahead with its preparation of the hole, which includes removal of contaminated soil and subsequent, immediately going into the actual construction of the tank. ... might take three years, perhaps four, perhaps five.” EPA Public Meeting, Walter Mugdan, April 25, 2016.

²³ *Id.*

²⁴ *Id.*

Given the uncertainties around both the potential length of time for Head-of-Canal tank construction and City-National Grid investigations for determining excavation liability, even the EPA's proposed 11-year window for the Head-of-Canal tanks may be too short.

Table 1.

Comparative look at the timelines to CSO tank completion under the Order (i.e., the City-proposed Head-of-Canal site) and the EPA's top choice location and assumed location in the Record of Decision (i.e., the Park site).

	The Order Timeline & The City's Plan for the "Head-of-Canal" Site	EPA's Now-Scrapped Plan for the Thomas Greene Park Site
<i>Site Acquisition</i>	4 years	0 years (City already owns site)
<i>Site Preparation & Excavation</i>	3 years	1 year
<i>Tank Construction</i>	4-5 years ²⁵	2-3 years
Whole-Project Completion Time	11+ years²⁶	4 years²⁷

The Record of Decision calls for CSO capture to be completed before work gets under way; this target is within reach if the tank is sited at the Park, but it is completely unrealistic with the Head-of-Canal location. Because the CSOs are a significant source of contamination to the Canal, because RH-034 is the largest of these sources and affects the entire Canal sediment system, and because CSO sources need to be under control before in-water work can begin, this Order's doubling of the likely timetable for tank construction completion is completely unacceptable.

²⁵ Estimate for tank construction is hypothetical at the Head-of-Canal site is hypothetical as the EPA has not completed its review of the design, owing to the increased complexities inherent in siting a CSO tank in this location.

²⁶ 11-year Head-of-Canal site estimate taken from an EPA review of the City's proposed timeline; obtained through a FOIA request, from an email from Christos Tsiamis to Walter Mugdan on October 8, 2015.

²⁷ 4-year Park site estimate from Christos Tsiamis, EPA Project Engineer for Gowanus Canal Superfund Site, taken from an email to Senator Schumer's staff, October 8, 2015.

II. EPA EXPERTS CONCLUDED THAT THE PARK SITE IS MORE APPROPRIATE BECAUSE OF THE DIFFICULTIES, COSTS, AND DELAYS WHICH WOULD RESULT FROM CHOOSING THE HEAD-OF-CANAL LOCATION

EPA staff has expressed concern about siting the tank at the Head-of-Canal location, and a preference for siting it at the Park location, from the beginning of the Canal's listing process. The Order, as drafted, binds the EPA to approving a less effective CSO tank in a more difficult location, for higher costs, and no benefit. This result is unacceptable.

Originally, the EPA "identified the Park site as 'a potentially suitable' location due to synergies associated with anticipated removal of contaminated source material (coal tar) from beneath the Park site."²⁸ These synergies, importantly, "could save time in site acquisition and permitting and save significant construction costs."²⁹ The Record of Decision included more detail:

"The EPA will work with NYC to advance both Superfund and CWA goals by allowing [the City] the opportunity to evaluate locating CSO control facilities in areas where upland Site-related source removal work might take place, creating a synergy between programs that potentially could save time in Site acquisition and permitting and save significant construction costs. While final selection of the CSO control locations will occur during the remedial design, the EPA has identified the western two-thirds of Thomas Greene Park ... as potentially suitable location[] due to such synergies. [The Park is] owned by NYC, eliminating property acquisition costs[, and is] located near [RH-034] which require[s] control."³⁰

Documents recently obtained through a FOIA request shed light on the decisionmaking process. When it became clear that the City was lobbying for the Head-of-Canal location to be the final tank site, the EPA stood by its recommendation that the Park site was much more feasible, cost-effective, and time-sensitive:

"EPA continues to have substantial concerns regarding a number of key issues that at the outset EPA identified to the City as required conditions for entering into the Settlement Agreement. These conditions stem from EPA's analysis that the use of the City's preferred tank location, the Canal-side Property, *carries with it risks in the form of increased costs, technical implementability concerns, legal*

²⁸ W. Mugdan, Letter to the CAG, April 13, 2016.

²⁹ *Id.*

³⁰ Record of Decision at 89.

challenges, and delays in implementing the Site cleanup, risks which the City should bear.”³¹

Federal regulations describe three aspects of “implementability,” and how each one is to be evaluated. First, implementability can be technical – encompassing analyses into the reliability of certain technologies, ability to monitor remedy effectiveness, or unknowns in construction or operation planning.³² Second, it can be administrative – whether coordination between other agencies or offices or the time it would take to obtain permissions and permits to carry out remedial work will help or hinder remediation.³³ Third, it can be based on the availability of “services and materials, ... necessary equipment and specialists, and ... prospective technologies.”³⁴

EPA created an alternatives assessment ranking database, and compared data between the Park and Head-of-Canal sites to help quantify implementability. In those rankings, also obtained with a FOIA request, the EPA accounted for potential tank size, proximity to existing infrastructure, utility relocation needs, current & planned surrounding uses, historic and cultural resources, known contamination, property acquisition, and proximity to potential staging areas. The City, which ran this analysis first, ranked the Head-of-Canal site as a 72/100, and the Park as a 63.5/100 – clearly expressing quantifiable preference for the Head-of-Canal location.³⁵ The EPA engineers, however, recalculated the results and discovered the Head-of-Canal had 66 of 100 possible points, and the Park site had 82/100.³⁶ Thus, the EPA has data-driven reasons for being concerned about the implementability of the Head-of-Canal tank location.

Beyond ranking data, the EPA team developed a list of pros and cons for each tank site option.³⁷ First, the EPA examined the benefits which would result from siting the CSO tank under the Park. Those include:

³¹ Also, within the specifics of the City’s proposal, the EPA found fault with the City’s top choice proposals. “Presently, EPA understands that there are commercially available, workable and *considerably less expensive lease or sale options* than [using the Eastern Effects Studios, Inc., site for a staging facility]. EPA believes that this issue is not on the same critical path as the tank location.” Letter from EPA to NYC, December 21, 2015. *Emphasis added.*

³² 40 CFR § 300.430(e)(9)(iii)(F)(1).

³³ 40 CFR § 300.430(e)(9)(iii)(F)(2).

³⁴ 40 CFR § 300.430(e)(9)(iii)(F)(3).

³⁵ Site Ranking Spreadsheets, obtained through FOIA.

³⁶ *Id.*

³⁷ Siting Pros and Cons List; C. Tsiamis email to B. Carr and NYSDEC, October 26, 2015.

- the fact that the City own the Park, so there would be no costs for acquisition, no condemnation proceedings, and no other time-consuming land ownership issues;
- the fact that the Park would need to be remediated anyway, so there would be cost-saving synergies;
- the fact that replacing the pool and park facilities post-construction would likely result in nicer facilities for the community; and
- that there are “fewer ‘constructability’ issues than at Head-of-Canal site.”³⁸

Second, this narrative included a description of the complexities and drawbacks of siting the tank at the Head-of-Canal location, which led the EPA to consider it as a second-choice, behind the Park site:

- concerns that the City is proposing a complex structure that goes beyond the EPA-required in-line, simple, storage-and-pump system;³⁹
- concerns that the setback from the Canal will be more dangerous to workers, and that the Head-of-Canal tank would require complex anchoring systems to be in place to comport with the rest of the Canal remedial design;
- the real, known need by the City to acquire privately owned parcels;
- the real, known costs associated with acquiring property; and
- “‘constructability’ issues because of proximity to the Canal itself,” including the need for a “complicated coordination of tank installation work with installation of cut-off wall required under NYSDEC’s Record of Decision for the Fulton MGP site (also required for protection of the Canal remedy).”⁴⁰

Note that none of these issues were mitigated by the proposed Order other than the EPA’s preservation of their “pivot” possibility.⁴¹ Note further that this “pivot” is only a *potential* tool; the EPA of 2020 could decide to allow the City to continue to work toward Head-of-Canal property acquisition.

³⁸ *Id.*

³⁹ See EPA/NYC comments and responses, April 2016.

⁴⁰ Siting Pros and Cons List; C. Tsiamis email to B. Carr and NYSDEC, October 26, 2015.

⁴¹ The “pivot” being the EPA’s retention of a right to require the City build the RH-034 CSO tank under the Park site if the City has not fully vested its acquisition of the Head-of-Canal properties by mid-2020.

The EPA initially developed the Record of Decision with the Park site in mind, used rankings, assessments, and narratives on the record to show why the Park site is preferable to the Head-of-Canal site. Despite these efforts, the City continued to advocate for their chosen location. Finally, even at the public meeting for this Order, where the Head-of-Canal site was announced, the EPA reiterated their long-held and oft-repeated concerns, noting that “[t]he EPA believed and continues to believe that construction of the RH-034 tank at the park location could be done more quickly, more easily and at less expense than the head of Canal location.”⁴²

The publicly available record demonstrates that the EPA was convinced that the Park site is the best choice. Unfortunately, in a letter sent to the CAG, the EPA changed course and approved the Head-of-Canal location, citing litigation risks and “the City’s strong policy reasons for avoiding the longer disruption and potential permanent loss of space at the Thomas Greene Park were the tank and the associated head house to be built there.”⁴³ Riverkeeper suggests that the EPA err on the side of the considerable weight of its own expertise and the clearly established record, to amend this Order to require the City construct these CSO tanks under the Park.

III. EPA’S SELECTION OF THE HEAD-OF-CANAL LOCATION IS NOT IN THE PUBLIC INTEREST

The additional years of delay undermines the Record of Decision, and ignores the EPA technical concerns, feasibility concerns, and cost concerns with the Head-of-Canal site selection. There seems to be no remediation-based rationale for the EPA’s move away from the more cost-effective, feasible, and time-sensitive Park site choice. For these and the following reasons, the Order is clearly not in the public’s interest.

First, there will be local jobs and tax revenue lost as a direct result of this siting decision – economic concerns which could have been avoided if the EPA chose the Park site.

Second, the Order relies on a host of penalty provisions to encourage the City to meet timelines and avoid even more delay. Given that the City actively lobbied for the Head-of-Canal site, which would cost hundreds of millions more dollars, future penalties for noncompliance seem like weak deterrents. Moreover, these penalties and cost overruns are all charged to water rate payers in the City, and would not be used – under this Order – by the EPA to further any of the goals of the Record of Decision.

⁴² EPA Public Meeting, Walter Mugdan, April 25, 2016.

⁴³ April 13, 2016 Letter, Walter Mugdan to the CAG.

Third, while the Order ultimately allows the EPA to “pivot” the City to the Park location, if it cannot acquire the City proposed canalside parcels by mid-2020, it does not allow the EPA to “pivot” in the event that it finds the City’s designs for the Head-of-Canal tanks to be infeasible, unworkable, or technically deficient. We have already seen the EPA technical staff make these warnings (noting that the Head-of-Canal site has “‘Constructability’ issues because of proximity to Canal itself”).⁴⁴ It is imperative that the EPA retain the independence, autonomy, and ability to “pivot” away from the Head-of-Canal site for engineering reasons in addition to timeline considerations.

Fourth, the Order’s covenant not to sue isn’t furthering the Record of Decision; the City was involved in the Record of Decision development each step of the way, and, as far as the public knows, the City hasn’t publicly stated that it has any intention of suing the EPA over the terms of how it participates in the remediation of the Gowanus Canal. Thus, this covenant not to sue (which also doesn’t cover anything related to the tank design, solely the selection of which hole in the ground to prepare for a CSO tank pursuant to this Order) also fails to further the Record of Decision. Because this covenant does not timely advance the cleanup for the community, and only serve to entice the EPA away from holding a Responsible Party to aggressive cleanup timelines and targets, it too is not in the public interest.

There are no Head-of-Canal site open space assurances in the proposed order.

In announcing this Order, the EPA has regularly highlighted their belief that “building the tank at the Head-of-Canal location would result in creation of additional open space for the community.”⁴⁵ However, at the public hearing on this Order, the EPA clarified this open space promise in a manner that concerns the community:

“[It has] long been understood, *not specifically written anywhere*, it’s understood that the City doesn’t want any commercial or residential development on top of a tank – it doesn’t want any kind of development on top of a tank.”⁴⁶

In the EPA’s internal look at the pros and cons of each site, they noted that “no development will occur on top of the tank,” thus, the EPA concluded, choosing the Head-of-Canal site “will provide additional open space in an area that has too little.”⁴⁷ Riverkeeper does not disagree with the latter half of this statement – clearly, the

⁴⁴ Siting Pros and Cons List; C. Tsiamis email to B. Carr & NYSDEC, October 26, 2015.

⁴⁵ April 13, 2016 Letter, Walter Mugdan to the CAG.

⁴⁶ EPA Public Meeting, Walter Mugdan, April 25, 2016.

⁴⁷ Siting Pros and Cons List; C. Tsiamis email to B. Carr & NYSDEC, October 26, 2015.

community here needs more open space.⁴⁸ Riverkeeper only questions the EPA's confidence about development potential. Nothing in this Order binds the City to creation of the new open space.

Riverkeeper recommends that the EPA amend this order to require that the Head-of-Canal tanks remain open space, in perpetuity, and require that the City include the development of open space designs in the Order workplan.

There are no CSO-recontamination dredging requirements or interim measures in the proposed order.

Riverkeeper is concerned that the community has been given dredging assurances which are not written into the Order. Significantly, because this Order delays CSO source control (i.e., retention tank operation timelines), the Canal will experience up to eight years of recontamination from combined sewer discharges after remediation dredging in-water work has begun. This is one of the key short-term risks that this Order represents. During the public review period for the Order, however, the EPA has assured the public that this recontamination will be fixed by the City, as a condition of the agreement:

“[T]he proposed agreement ... for the first time ... memorialize[s] the City[’s] commitment to a future settlement to perform maintenance dredging if deemed necessary to remove any CSO related sediments, contaminated sediments, that accumulate after the Canal remedy is put in place, but before the CSO tank is constructed.”⁴⁹

Note, specifically, that this so-called assurance only applies “if deemed necessary,” and is clearly, by its terms, just a memorialization of a *commitment to discuss* potential future dredging. Thus, there is no requirement that the City dredge any recontamination. As discussed above, the RH-034 CSO is the main driver of sediment recontamination throughout the Canal, and the accumulation of new sediments is worst in the upper reach of the Canal due to this outfall.⁵⁰ Dredging is necessary; this is a key aspect of the Record of Decision, the key reason for Riverkeeper's (and the community's) concerns

⁴⁸ To reiterate, the Canal itself is open space worth fighting to clean up; it represents over 12 acres of accessible open space for the enjoyment of the community at large, in perpetuity, but is unusable until at the earliest after remediation of the Canal is completed. This remediation is, by this Order, being delayed.

⁴⁹ EPA Public Meeting, Walter Mugdan, April 25, 2016.

⁵⁰ Record of Decision at 28.

about further delay, and a key impediment to remediation.⁵¹ Riverkeeper requests that the EPA make dredging of any CSO sediments that accumulate after in-water work has begun, but before the CSO tanks come online, a requirement of this Order. The sediment recontamination issue is critical and not an item for future negotiation.

Beyond the CSO sediment recontamination concerns, the Order's allowance of up to eight more years of unabated CSO discharges represents a larger safety issue for the community and for the workers responsible for cleaning up the canal.

"High levels of bacteria are also present in the canal as a result of periodic discharges from the combined sewer outfalls. Although not considered for CERCLA remedy selection purposes, risk to child and adult recreational users and workers from CSO-related pathogen exposure is a significant issue, as was outlined in the draft Gowanus Canal Public Health Assessment."⁵²

"Although not considered for CERCLA remedy selection purposes, a screening level risk assessment for CSO pathogens that was performed by National Grid found significant risk to child and adult recreational users and workers from CSO-related pathogen exposure."⁵³ By allowing such significant delays in tank construction, the EPA is walking away from the opportunity to "produce the tangential benefit of reducing pathogen exposure levels."⁵⁴ Thus, the public interest is not served by the years of additional contamination and pathogen exposures which will result from this Order.

The use of the Park and community disruption as a rationale for delay is not in the public interest.

EPA stated that, in addition to consideration of the threat of litigation, it made its decision to site the tanks at the Head-of-Canal location based on concerns about the impact of this remedy on the use of Thomas Greene Park. Specifically, the EPA noted "the City's strong policy reasons for avoiding the longer disruption and potential permanent loss of space at the Thomas Greene Park were the tank and the associated

⁵¹ "The coordination of upland cleanups, CSO control and the sediment remedy is necessary for a comprehensive and sustainable remedy." Record of Decision at 87. Indeed, this is why the ROD requires interim CSO sediment control measures if the in-water work begins before CSO tanks are completed. No discussion of interim measures for control have been discussed here, despite the doubling of the EPA's estimated time-to-completion and the risk of up to 8 years of additional CSO sediment discharges into the Canal.

⁵² Record of Decision at 23.

⁵³ Record of Decision at 43-44.

⁵⁴ *Id.*

head house to be built there.”⁵⁵ Broadly, there are two key reasons why the City’s concerns should not have led the EPA to change course from the Park site to the Head-of-Canal site.

First, regarding the “longer disruption” which would result if the tank was built under the Park, the City has ignored the EPA’s oft-repeated assurances that replacement facilities will be made available to the community during the removal and remediation process. Moreover, while the EPA has estimated that the Park site tank would take three years to construct, the City’s proposed plan (which forms the basis of this Order), takes even longer. Excavation work and site preparation of the Head-of-Canal location would take three years (and wouldn’t begin until 2020), and would not obviate the need to close the Thomas Greene Park for two years in another separate CERCLA removal action.

Thus, a Park site CSO tank would lead to a discrete, single-block removal and remediation process with full Park replacement facilities for the community. This option results in 5 years of construction. A Head-of-Canal site would require at least 7 years of acquisition, preparation, and excavation before construction begins on the CSO tank. The EPA says this option results in a more complex and risky project. The Head-of-Canal site also requires two years – contemporaneous with the canalside work – of Park excavation. In short, if the City is worried about the length of disruption to be caused by CSO tank work, the Head-of-Canal site option is clearly the worst case scenario.⁵⁶

Second, the City’s concerns about “potential permanent loss of space” from the CSO tank and a “head house to be built there” have also been regularly refuted by the EPA. On the loss of space from the CSO tank, the EPA states in the Record of Decision that “[b]ased on other existing CSO retention tank projects, the EPA believes that CSO controls can be integrated into [the Park] while maintaining ... current uses.”⁵⁷ Moreover, the EPA told New York State’s Department of Environmental Conservation, while considering the City’s Head-of-Canal proposal, that a head house is “not called for in EPA’s Record of Decision.”⁵⁸ In the event that the City insists on building a head house, it also does not need to result in permanent loss of space; according to the EPA, “the structure could be built across the street from the Park on land currently vacant or

⁵⁵ April 13, 2016 Letter, Walter Mugdan to the CAG.

⁵⁶ Note also that the delay which will be caused by this Order (up to doubling the time to CSO tank completion), also delays the ultimate remedy – keeping the public from having over 12 acres of remediated open space on the Canal for enjoyment and recreation.

⁵⁷ Record of Decision, at 89.

⁵⁸ Siting Pros and Cons List; C. Tsiamis email to B. Carr and NYSDEC, October 26, 2015.

available for sale," or, if built within the Park, the "footprint it could be significantly smaller (10% of park space, not 20%), and could be designed to provide an amenity rather than an intrusion."⁵⁹

In addition, the City has omitted critical community interests and concerns in its decision to effectively delay the clean-up remedy. Once the canal is remediated, and the CSO discharges of wastes successfully addressed, the Gowanus Canal itself will become a 12 acres open space asset to the community. A protected and restored Gowanus will enable local residents, long denied public recreational activities, like fishing, boating, and kayaking, among others, to fully enjoy this important waterway. Additional delay of these future Gowanus Canal "Park" benefits to local residents, combined with the EPA commitment to replace community facilities during remediation work, clearly shows the disingenuous nature of the City's site location position. It is plainly contrary to the interests of the community.

From a legal perspective, the City is also concerned that potential permanent loss of park space will delay the entire remedy because of the New York's parkland alienation process. Such a efforts "normally requires approval by the state legislature."⁶⁰ The EPA did not concur with this conclusion, noting that "if carried out in furtherance of a Superfund cleanup, it is EPA's view that such approval would not be needed."⁶¹ Disagreeing, the City suggested avoiding alienation with the Head-of-Canal site which requires, instead, an entire eminent domain process (including land use review and environmental impact review). Were the City to litigate this question, the EPA is confident it "would prevail and, moreover, that an injunction against proceeding with construction would not be granted."⁶²

EPA is certain that there will be no permanent loss of park space. Further, EPA would require temporary park services to be made available to the community During the removal and construction process. If the City chooses to include a head house, it could be designed off-site or in a beneficially-integrated manner to eliminate Park impacts. Thus, the EPA should dismiss the City's concerns and site the CSO tank under

⁵⁹ *Id.*

⁶⁰ *Id.*

⁶¹ *Id.*

⁶² *Id.* Note also that if the City chose to build a head house, but sited it on one of the lots adjacent to the Park, currently vacant and available for sale, the entire permanent Park space loss question would be moot. Thus, the City could choose a different design to mitigate their own internal (and not shared by EPA) concern of the legal procedures involved in siting the CSO tank under the Thomas Greene Park.

the Thomas Greene Park because, as EPA argues, there is no cause for concern that the Park site would result in alienation process delays.⁶³

IV. SELECTION OF THE HEAD OF CANAL LOCATION SITE DOES NOT ALIGN WITH THE LAW

“In reviewing a proposed consent decree, a district court must determine if it ‘is fair, reasonable, and faithful to the objectives of’ CERCLA.⁶⁴ Fairness includes considerations of balance and accountability, while reasonableness includes technical adequacy, probable design effectiveness, and public interest.⁶⁵ Importantly, CERCLA’s “two main objectives (‘to encourage prompt and effective responses to hazardous waste releases and to impose liability on responsible parties’) ... overlay[] determinations of both fairness and reasonableness.”⁶⁶

Riverkeeper concludes that the proposed CSO tank siting at the Head-of-Canal location threatens the Canal’s overall remediation, delays prompt attainment of the Record of Decision goals, undermines (completely) the Record of Decision’s short-term benefits, is an ineffective response to capturing an ongoing source of contamination, and makes the entire remedy cost-ineffective.

Not only does the Head-of-Canal site location choice run afoul of CERCLA, the decision does not comport with EPA’s regulations. Pursuant to CERCLA, the EPA promulgated regulations detailing the nine criteria by which Superfund decisions would be made. These criteria, used specifically in analyzing alternative design solutions, are as follows:⁶⁷

⁶³ Note, Riverkeeper fully supports the call for the minimization of this remediation’s impact on local communities. From odors and noise to recontamination, remediating a Superfund site as polluted as the Gowanus Canal in an area as densely developed as this, will be technically difficult. This is one reason why Riverkeeper is pushing for the fastest and most strategic removal and remediation plan. Siting the tank at the Head-of-Canal will not be quicker, and will not be easier, as the EPA has repeatedly stated. Thus, the community as a whole, as the EPA has noted, is best served by a quick, strategic removal of the Park and construction of the CSO tank at that site.

⁶⁴ United States v. GE, 460 F. Supp. 2d 395, 401-02 (N.D.N.Y. 2006) (citing United States v. Cannons Eng'g Corp., 899 F.2d 79, 84 (1st Cir. 1990); see also Publicker Indus. Inc. v. United States (In re Cuyahoga Equip.), 980 F.2d 110, 119-20 (2d Cir. 1992) (finding that the lower court "acted within its discretion in approving the settlement agreement as fair, reasonable and consistent with CERCLA's objectives").

⁶⁵ *Id.*, see United States v. Cannons Eng'g Corp., 899 F.2d 86-90.

⁶⁶ *Id.*, citing In re Cuyahoga Equip., 980 F.2d at 119; Cannons Eng'g Corp., 899 F.2d at 90-91.

⁶⁷ See 40 CFR § 300.430(e)(9)(iii).

- Overall protection of human health and the environment.
- Compliance with appropriate requirements.
- Long-term effectiveness and permanence.
- Reduction of toxicity, mobility, or volume through treatment.
- Short-term effectiveness (including risks that might be posed to the community during implementation of an alternative and potential impacts on workers during remedial action and the effectiveness and reliability of protective measures).
- Implementability of a proposed alternative.
- Cost of proposed alternatives.
- State Input.
- Community Input.

EPA regulations create three categories for selection review analyses. First, “overall protection of human health and the environment” is included as a “Threshold Criteria.”⁶⁸ Second, the “Balancing Criteria” include long- and short-term effectiveness, reduction of toxic risks, implementability, and cost.⁶⁹ The third and final category, “Modifying Criteria,” include state and community input.⁷⁰

EPA regulations specify how to apply these categories in selecting remedial actions. Specifically, the EPA is required to first look at the Threshold Criteria and Balancing Criteria, then, next, ensure that any design choice is cost-effective.⁷¹ Cost-effective is defined as an evaluation weighing costs against a specific subset of Balancing Criteria: long-term effectiveness and permanence, reduction of toxicity, and short-term effectiveness.⁷² The Modifying Criteria, state and community satisfaction, are not included in EPA consideration of alternatives, at least not above cost-effective solutions that protect human health and the environment.

By choosing the Head-of-Canal site for the City’s CSO tanks, the EPA is walking away from these threshold regulatory review requirements and endangering both the community, public health, and the environment.

⁶⁸ 40 CFR § 300.430(f)(1)(i)(A).

⁶⁹ 40 CFR § 300.430(f)(1)(i)(B).

⁷⁰ 40 CFR § 300.430(f)(1)(i)(C).

⁷¹ 40 CFR § 300.430(f)(1)(ii)(D).

⁷² *Id.*

- The EPA's Threshold Criteria prioritize the *protection of human health and the environment* above all other considerations. Here, the EPA – as stated repeatedly on the record – is choosing a lesser CSO tank site in order to accommodate City's concerns over park space which the EPA does not even share (e.g., need for alienation legislation, open space loss because of head house design, etc.), and potential litigation over remedial design terms. Thus, the EPA is prioritizing *litigation risk* above all other considerations.
- The EPA must also ensure the long-term *effectiveness and permanence* of any design solution, as a Balancing Criteria. Here, the EPA acknowledges being *less certain* that a Head-of-Canal CSO tank will be as feasible and safe to build and operate as a tank at the Park site. Moving away from the Record of Decision on this issue decreases confidence in the long-term effectiveness of the remedy.
- In the *short-term*, the EPA is responsible for examining its decisions for risks that might be posed to the community, remedial action workers, and the environment. By choosing a CSO tank site that would certainly result in delayed source control targets is an explicit endangerment of the community, and will present significant risks (whenever CSOs are triggered) to worker engaged in dredging and excavation work elsewhere along the Canal. *Five to eight more years* of CSO contamination is an unacceptable short-term risk.
- Finally, the Record of Decision, citing regulations, describes a *cost-effective* remedy as “one whose costs are proportional to its overall effectiveness.”⁷³ In that Record of Decision, the EPA proposed siting the CSO tank at the Park site, and concluded that “the selected remedy meets the statutory requirement that Superfund remedies be cost-effective in that it is the least-costly action alternative and will achieve the remediation goals in the same amount of time in comparison to the more costly alternatives.”⁷⁴ Here, though, the Head-of-Canal tank is projected to cost significantly more than the Record of Decision -described Park site for no increased long- or short-term benefits or improvements in human health and environmental protection. The EPA is specifically making this remedy *cost-ineffective*.

The administrative record, EPA's internal reviews, and the Record of Decision all clearly demonstrate that the Park site is more cost-effective, more feasible, and more timely, and that these are vital and strategic considerations for the Canal's remediation.

⁷³ 40 CFR § 300.430(f)(1)(ii)(D).

⁷⁴ Record of Decision at 92.

EPA is required by law and regulation to consider specific criteria, in a specific order, as part of a cost-effective balancing test. By embracing a tank site that postpones CSO source control, endangers the community (and the remediation workforce) with several more years of toxic CSO discharges, and which will significantly drive up the costs of the project that ratepayers will pay - all to avoid potential litigation over park space losses - the EPA runs afoul of the law.

V. CONCLUSIONS AND RECOMMENDATIONS

The EPA technical team for the Gowanus Canal Superfund site has repeatedly told the community that the Head-of-Canal site cannot be built nor be operational within the timeframes and targets of the Record of Decision. Thus, the EPA's decision to accept this site as the location of the source controlling-CSO tank to be built at outfall RH-034 is a policy choice - does not comply with the terms of CERCLA and the Record of Decision.

Riverkeeper, respectfully, urges the EPA to issue an order, as it must, that requires the City to construct the CSO tanks at RH-034 according to the terms and timelines of the Record of Decision. Siting the CSO tank under the Thomas Green Park is the most cost-effective solution, is more technically feasible than the Head-of-Canal location, and could be completed under the original timelines of the Record of Decision. These considerations drive the EPA's Superfund work elsewhere, and should here. Indeed, the Park site might be where the tanks end up, if the City takes more than four years acquiring the land. The selected site option results in at least seven years to get to work is far too long.

Moving away from the Park site without a clear and convincing technical reason, given that it will mean delays in removal and remediation, and knowing that it will cost potentially hundreds of millions more dollars than planned doesn't comport with CERCLA, the EPA's policies and positions for other Superfund Sites, and common sense.

Superfund was created for protecting public health and the environment - through the rapid, thorough, and permanent removal and remediation of contamination. It is a mistake to retreat from a plan that would achieve these goals solely in order to avoid potential litigation over public space that the community will have replacement facilities for throughout construction process.

The combined sewer system tanks required under the Record of Decision are a vital component of the Gowanus Canal cleanup. These tanks are a must - without them, the water quality of the Canal can never be remediated or restored, and the public health risks to the community will never be abated. The EPA must reconsider the terms of the order before making its final decision. Riverkeeper asks that the EPA and the City come to an agreement on an amendment to this Order that considers our comments and

ensures a quicker clean-up and tank construction timeline for the benefit of the environment and community health.

Respectfully submitted,



John Parker
Director of Legal Programs

From: [Mugdan, Walter](#)
To: [Singerman, Joel](#); [Carr, Brian](#)
Subject: FW: Sewage Retention Tanks Comments
Date: Thursday, June 02, 2016 8:09:24 AM

From: Levin, Stephen [mailto:SLevin@council.nyc.gov]
Sent: Tuesday, May 31, 2016 4:02 PM
To: Mugdan, Walter <Mugdan.Walter@epa.gov>
Subject: Sewage Retention Tanks Comments

Dear Mr. Mugdan,

I am writing a brief comment regarding the siting of the Sewage Retention Tanks at the Gowanus Canal. First, I applaud the EPA for working closely with the community, the DEP, and Alloy to reach a proposed solution for the siting of these tanks that is most conscientious of the disparate concerns that have been raised, and that is no easy task. I look forward to working with all of the interested parties, under the leadership of the EPA, to ensure that future concerns will be effectively addressed.

One issue has come to my attention that I want to comment on. The proposed site of the staging area, on the lot west of Nevins Street, between DeGraw and Sackett Streets, is currently the home of Eastern Effects, a film and television soundstage. As I am sure you have heard, this company has not only invested approximately \$5M into this facility, which they have a 20-years lease on (2009-2029), but they also invested countless hours of sweat equity into this business in a way that be exceedingly difficult, and I believe probably not possible, to replicate at another location if forced to leave.

I encourage the EPA to work with the DEP to explore alternative locations for the siting of the staging area, perhaps in one of the lots across Nevins Street, from the site of the tanks. It is worthwhile from a public policy perspective to explore alternatives that would not unnecessarily harm a young and thriving business.

Thank you for your consideration.

Sincerely,

Stephen Levin
Councilmember, 33rd District

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From: [Mugdan, Walter](#)
To: [Singerman, Joel](#); [Carr, Brian](#)
Subject: FW: Siting of CSO retention tanks
Date: Thursday, June 02, 2016 8:07:34 AM

-----Original Message-----

From: Rick Luftglass [<mailto:rluftglass@gmail.com>]
Sent: Tuesday, May 31, 2016 9:55 AM
To: Mugdan, Walter <Mugdan.Walter@epa.gov>
Subject: Siting of CSO retention tanks

Walter Mugdan
U.S. EPA Region 2 - Superfund Director
290 Broadway, 19th Floor
New York, N.Y. 10007

Dear Mr. Mugdan,

I am writing in opposition to the siting of the staging area for the CSO tanks at 270 Nevins Street, at the Eastern Effects site. Though I am writing as an individual resident of Carroll Gardens. I am also chair of the economic development committee of Community Board 6. The proposed agreement would negatively impact employment and economic activity in this Gowanus area. The use of eminent domain is inappropriate in this situation, when other sites are viable alternatives.

Rick Luftglass



6121 Balcom Ave • Encino, CA 91316 • Phone: 310.351.9254
E-Mail: mesner@mac.com

Date: June 1, 2016

Dear Regional Administrator Judith Enck:

I am strongly opposed to the City's efforts to close Eastern Effects' soundstage at 270 Nevins Street. Eastern Effects, a film and television production studio adjacent to the Gowanus Canal, was recently notified by the City that it would be forced to cease operations and close in order for the property to be used as a temporary staging area for the construction of two combined sewage overflow (CSO) tanks required to clean up the canal.

I currently work as a Co-Producer in television, and produce a variety of content for major outlets, including ABC, NBC and CBS. My most recent credit was for "Grace & Frankie" on Netflix. While our headquarters are in California, we often seek to film our productions in other locations, including New York City. New York City has a long history of supporting productions like ours despite that the City has limited space for filming. For that reason, studio space like that at Eastern Effects' soundstage is vital.

Losing its flagship soundstage will be devastating to Eastern Effects and it will send ripples through our industry by signaling that productions are not welcome in New York City. By the City's own estimate, the film and television industry brings in \$9 billion to the New York City economy. The industry supports 109,000 full-time equivalent jobs in the City, and indirectly supports another 20,000 full-time equivalent jobs at caterers, location rentals, and other local suppliers. When we are able to shoot in New York, we add to those job numbers.

Productions are clamoring to film in New York City. A record 52 scripted television series are being filmed in the City this year - double the number from 2013. If productions can't find adequate space within the five boroughs, we will turn to other cities and unfortunately, take jobs with us.

There are alternative locations nearby that are suitable for the construction staging that will not close small businesses, eliminate jobs and destroy studio space that is vital to our industry. I urge you to consider those sites and keep jobs and productions in New York City.

Sincerely,

Steven Mesner
Co-Producer

cc: Mayor Bill de Blasio

Commissioner Julie Menin, Mayor's Office of Film and Television
Commissioner Emily Lloyd, Department of Environmental Protection
Congresswoman Nydia Velazquez
Brooklyn Borough President Eric Adams
State Senator Velmanette Montgomery
Assembly Member Jo Anne Simon
Council Member Stephen Levin
Council Member Brad Lander

June 7, 2016

Edie Falco
Actress



Walter Mugdan
U.S. EPA Region 2 – Superfund Director
290 Broadway, 19th Floor
New York, NY 10007

Dear Mr. Mugdan:

As someone who has been around New York City's television and film industry for many years, I am strongly opposed to the City's efforts to close Eastern Effects' soundstage at 270 Nevins Street. Eastern Effects, a film and television production studio adjacent to the Gowanus Canal, was recently notified by the City that it would be forced to cease operations and close in order for the property to be used as a temporary staging area for the construction of two combined sewage overflow (CSO) tanks required to clean up the canal.

Eastern Effects is a small, locally-owned business that is committed to growing in Brooklyn. In 2009, after years of searching, they identified 270 Nevins as the perfect location to build a state-of-the-art soundstage. After investing three years and \$5 million, they opened a New York State Level 2-certified soundstage and began attracting top productions. A production campus has grown around 270 Nevins Street—editing suites, writing suites, equipment storage, and offices now occupy buildings on both sides of the canal. Today, the campus supports over 230 jobs, most of which are union.

By the City's own estimate, the film and television industry brings in \$9 billion to our local economy, supports 109,000 full-time equivalent jobs, and indirectly supports another 20,000 full-time equivalent jobs at caterers, location rentals, and other local suppliers. A record 52 scripted television series are being filmed in New York City – double the number from 2013. But it's becoming nearly impossible for productions to find adequate space in New York City.

I know firsthand how difficult it is to find studio space. Shutting down Eastern Effects would just exacerbate the problem at a time when the City is touting local production. If they cannot find space, productions will turn to other cities, costing New York City jobs and valuable tax revenue.

There are alternative locations nearby that are suitable for the temporary construction staging that will not displace an active, thriving business and eliminate hundreds of jobs. I urge the EPA to carefully weigh the viable alternative options for the canal cleanup's temporary staging site so we can keep jobs and productions in New York City.

Sincerely,

A handwritten signature in black ink, appearing to read 'Edie Falco', with a long horizontal line extending to the right.

Edie Falco

BROOKLYN FIRE PROOF
119 INGRAHAM ST. suite 202
BROOKLYN NY 11237
718-456-7570

Ms. Judith Enck
Regional Administrator, Region 2
U.S. Environmental Protection Agency
290 Broadway, New York, NY 10007

Subject: Eastern Effects Soundstage

Dear Regional Administrator Enck:

I am strongly opposed to the City's efforts to close Eastern Effects' soundstage at 270 Nevins Street. Eastern Effects, a film and television production studio adjacent to the Gowanus Canal, was recently notified by the City that it would be forced to cease operations and close in order for the property to be used as a temporary staging area for the construction of two combined sewage overflow (CSO) tanks required to clean up the canal.

Thomas Burr Dodd, President
Brooklyn Fire Proof, Inc.
119 Ingraham St., #202, Brooklyn, NY

Like Eastern Effects, Brooklyn Fire Proof operates soundstages for film and television. We believe in supporting our fellow businesses to strengthen the industry as a whole. New York City has a long history of working with businesses like ours, and recognizes that the City has limited space for filming. For that reason, studio space like the Eastern Effects' soundstage is vital. Losing its flagship soundstage will be devastating to Eastern Effects and it will send ripples through our industry by signaling that productions are not welcome in New York City.

By the City's own estimate, the film and television industry brings in \$9 billion to the New York City economy. The industry supports 109,000 full-time equivalent jobs in the City, and indirectly supports another 20,000 full-time equivalent jobs at caterers, location rentals, and other local suppliers. When productions are able to shoot in New York, they add to those job numbers. Productions are clamoring to film in New York City. A record 52 scripted television series are being filmed in the City this year – double the number from 2013.

If productions can't find adequate space within the five boroughs, they will turn to other cities and unfortunately, take jobs with them. There are alternative locations nearby that are suitable for the construction staging that will not close small businesses, eliminate jobs and destroy studio space that is vital to our industry. I urge you to consider those sites and keep jobs and productions in New York City.

Sincerely,
Thomas Burr Dodd



**RESPONSIVENESS
SUMMARY APPENDIX 4
PETITIONS RECEIVED DURING THE COMMENT
PERIOD**

To: EPA Region 2 Gowanus Canal Superfund Director, Walter Muggan, regarding the proposed agreement with the City of New York for the location of the RH-034 sewage and storm water retention tank.

Thank you for making the polluters pay and not our community!

Friends of Thomas Greene Park (FOTGP) would like to thank the EPA for its hard work and dedication in reaching an arrangement with the City of New York that avoids siting the RH-034 sewage and storm water retention tank facility at the Douglass and Degraw (Double D) community pool location within Thomas Greene Park. FOTGP and the undersigned support this agreement, which should reduce the length of planned disruption for remediation efforts within the Park, avoid any permanent alienation of park space and present an opportunity to increase our parkland. We ask the EPA to continue to hold the City of New York, National Grid, and all other responsible polluters accountable to ensure a timely cleanup of the Canal and Park and to guarantee continuity of the Park's amenities and services. We urge EPA to include clear requirements for a temporary park and park reconstruction, as well as community participation in those processes, in future orders and agreements with National Grid and all other responsible polluters.

Name	Address	Telephone	E-mail	Comments
Dave Powell	621 Degraw St. BKLYN NY 11217	718 237-2017	dpowell@fifthave.org	
Michelle deLallz	621 Degraw St BKlyn, NY 11217	718-237-2017	mdelauz@fifthave.org	
Moreen Trice Rose	621 Degraw St., BKlyn 11217	718 237-2017	irose@fifthave.org	
Sorani Fisher	621 Degraw St. BKlyn, NY 11217	(718) 237-2017	SEABrook-Fisher@fifthave.org	
ROBERT McCool	621 DEGRAW ST., BKLYN, NY 11217	718-237-2017	rmccool@fifthave.org	
Leif NIELSEN	621 DEGRAW ST 11217	718 237-2017	RNIELSEN@FIFTHAVE.ORG	
ASHIFFMAN, ARON	621 DEGRAW STREET 11217	718 237 2017 x132	ASHIFFMAN@BUTNY.ORG	
Ali Chandler	621 Degraw St 11217	718 237-2017 x130	a.chandler@fifthave.org	
Ron ZAK	621 Degraw St. 11217	718-237-2017 x130	RZAK@fifthave.org	

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Name	Address	Telephone	E-mail	Comments
Camille Cazon	621 Degraw St.	718.237.2017	ccazon@fathave.org	
Erica Stoltz	932 Lincoln Pl. #1	718 768-2397	ERICASTOLTZ@gmail.com	

Dear TK



To: EPA Region 2 Gowanus Canal Superfund Director, Walter Mugdan, regarding the proposed agreement with the City of New York for the location of the RH-034 sewage and storm water retention tank.

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Name	Address	Telephone	E-mail	Comments
C. Silva	572 Warren st			Keep the Pool
D Johnson	572 Warren St			Save the Pool
A. Grant	572 Warren St			Keep the pool
J. FANTAUZZI	572 Warren			Keep the pool clean water

To: EPA Region 2 Gowanus Canal Superfund Director, Walter Muggan, regarding the proposed agreement with the City of New York for the location of the RH-034 sewage and storm water retention tank.

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Name	Address	Telephone	E-mail	Comments
Sharon Taylor	418 Atlantic Ave.	718-694-9344	sharon@handsae.com	
Lou Choblet (Payer)	422 Atlantic Ave	917-620-5422	choblet@msn.com	
Yaya	50 E. 19 th St.	(347) 636-6957	chasingyaya@gmail.com	
Mansa Taylor	354 47 th St	201 668 9812	taylormansa@gmail.com	
JoAnne Worrel	187 Bond St	929-271-7609	Mejpanne7@hotmail.com	

To: EPA Region 2 Gowanus Canal Superfund Director, Walter Muggan, regarding the proposed agreement with the City of New York for the location of the RH-034 sewage and storm water retention tank.

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Name	Address	Telephone	E-mail	Comments
JESSIA HENSON	53 SUMMIT ST. #2A, BK, 11231	917.617.4211	JESSIAHENSON23@GMAIL.COM	
Jamaal Redon	1620 Grand Concourse 18B	(646) 575-2731	RedonJamaal@gmail.com	
Shanice Catini	186 Utica Ave BK NY 11213	347-424-3195	SC_catini@hotmail.com	
Paul Hawkins	12 Gates Ave, Melverne NY 11565	516-596-0974	Paul.hawkins.ny@gmail.com	
LAURIE PHELAN	La Phele 24 Morris Pt. Bk, NY	718-624-7145	Lupe CORCORAN.COM	
Emily Cohen	53 Boerum Place	818-212-8768	emily_cohen@corcoran.com	



Joe An Brown

To: EPA Region 2 Gowanus Canal Superfund Director, Walter Mugdan, regarding the proposed agreement with the City of New York for the location of the RH-034 sewage and storm water retention tank.

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Name	Address	Telephone	E-mail	Comments
<i>Joe An Brown</i>	<i>572 Warren St SF</i>	<i>347-282-3599</i>		
<i>KAREN GONZALEZ</i>	<i>356 BUTLER</i>		<i>YXLULUYX@GMAIL.COM</i>	
<i>Neerja Vasishtha</i>	<i>356 Butler</i>		<i>neerja.vasishtha@gmail.com</i>	
<i>Claribel Rivera</i>	<i>572 Warren St 5th</i>			
<i>Sophia Fontana</i>	<i>572 Warren St SE</i>	<i>347-294-0081</i>		<i>We need it for the kids that live around here</i>
<i>Samir Collins</i>	<i>572 Warren St</i>			
<i>Walberto Saevedra</i>	<i>572 Warren St</i>			
<i>Marcus Green</i>	<i>572 Warren St. 5L</i>	<i>718.501.8348</i>	<i>marcusgreen1@hotmail.com</i>	
<i>Shirley Valle</i>	<i>572 Warren St 5N</i>	<i>347 961-4375</i>	<i>PRØFUGA73@aol.com</i>	<i>Kids need to have SUMMER ACTIVITIES</i>

2m

Joe Am Bona



To: EPA Region 2 Gowanus Canal Superfund Director, Walter Muggan, regarding the proposed agreement with the City of New York for the location of the RH-034 sewage and storm water retention tank.

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Name	Address	Telephone	E-mail	Comments
<i>Amber Fortunato</i>	<i>572 Warren St 3m</i>	<i>518 732 5604</i>	<i>theambershawo@gmail.com</i>	
<i>Jennifer Fortunato</i>	<i>572 Warren St 5c</i>	<i>518 335 3449</i>	<i>JJonec242@gmail.com</i>	
<i>Jake and Mewa</i>	<i>572 Warren St 20</i>	<i>347-743-4662</i>		
<i>Ramon Morales</i>	<i>572 Warren St 2m</i>			
<i>R. Vely</i>	<i>572 WARREN ST</i>			
<i>William Catimore</i>				
<i>Mildred Marty</i>	<i>572 Warren St 2A</i>	<i>917-204-4256</i>	<i>Mildredm37@aol.com</i>	
<i>A. Letourne</i>	<i>572 WARREN ST. 2B</i>			
<i>Yen Li</i>	<i>572 Warren St 2C</i>	<i>646-338-9996</i>		

3H 3F 3K

Joe An Bruno



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Name	Address	Telephone	E-mail	Comments
Malachi Grant	572 Warren	347 4482231		
Maria Lugo	572 Warren St ³⁶			
Corline Scott	572 Warren St ^{3K}	718-797-1344		
Amanda Espinal	572 Warren St ^{3E}	347-502-9784	aespinal0908@gmail.com	
Sheila Ellis	572 Warren St ^{3D}	212-458-7925		
Elizabeth Arias	572 Warren St ^{3B}			
Emily Paton	572 Warren St ^{3C}			
Katie Starbuck	572 Warren St			
Conilee R. ...	572 Warren St	1718 8524786		

Joe A. Brown

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Name	Address	Telephone	E-mail	Comments
<i>Mozz Tavernant</i>	<i>572 Warren St 50</i>			
<i>Burke Hernandez</i>	<i>572 Warren St 60F</i>			
<i>J. Lopez</i>	<i>572 Warren 6A</i>			
<i>S. Mason</i>	<i>572 Warren 6K</i>			
<i>Sunny Spandy</i>	<i>572 Warren 6H</i>			
<i>Stacy Powell</i>	<i>572 Warren 6J</i>			
<i>P. Marks</i>	<i>572 Warren 6B</i>			
<i>A. Hodas</i>	<i>572 Warren 6D</i>			
<i>C. McNeill</i>	<i>572 Warren St. 6K</i>			

#A- 4F 4G 4K 4H 4J 4L *John Brown*



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Name	Address	Telephone	E-mail	Comments
<i>Shameka Smith</i>	<i>572 Warren St. 6P</i>			
<i>Yesenia Caldwell</i>	<i>572 Warren St 11217</i>			
<i>Veronica Chenele</i>	<i>572 Warren St. Apt. 4D</i>			
<i>Angel Rivera</i>	<i>572 Warren St Apt 4C</i>			
<i>Corbett, Elizabeth</i>	<i>572 Warren St Apt 4B</i>	<i>917 543 2908</i>	<i>ablem7@aol.com</i>	
<i>Ayana Wickman</i>	<i>572 Warren St Apt 4A</i>	<i>718 404-8907</i>		
<i>Linda Work</i>	<i>572 Warren St Apt 4H</i>	<i>646 671-1852</i>		
<i>Maria Lopez</i>	<i>572 Warren St 40</i>	<i>718 243 2674</i>	<i>Mlopez111@NYC.NY.COM</i>	
<i>Cecilia Canlon</i>	<i>572 Warren St 4A</i>			

Joe Ann Brown

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Name	Address	Telephone	E-mail	Comments
MOZELLA Dupre	572 warren st, 25			
SMU	572 warren st 1A			
	572 warren st 1D			
Louis Rodriguez	572 Warren St 1B			
Diana Felix	572 WARREN ST 2P			
SANDRA Garcia	574 Warren St 6G			
DOREEN CACCAMO	574 " 6H			
LOUISIANA Vasquez	572 Warren St #2L			
MILZA Phillips	574 Warren St #2T			

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Name	Address	Telephone	E-mail	Comments
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Jeff Danczyj	606 A 5th Ave		JD054@virginia.edu	
Electra Weeks	14 Lincoln Pl.		electraweeks@hotmail.com	

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Linda Smith	251 Dean St.	917 8866871		
Lyanna Matthews	130 3rd Ave	646 5009010	mlpmario206@ gmail.com	
AARON FOX	175th Wyckoff St	917 667 3564 917	aarm.fox@ yahoo.com	
Brenda Matthews	130-3 Ave	347-362-7291		
Michael Higgins Jr	388 Atlantic Avenue ^{2nd floor}	(718) 852-2960	michael@furee.org	

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Liz Brownback	126 4th Ave	646-498-8719	legalizegates.com	

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Name	Address	Telephone	E-mail	Comments
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Sandra Cordoba	309 HICKS ST ARLING	9175973631	SCORDOBA@CORCORAN.COM.	
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Cory Mendelis	119 Windsor Place	(917) 363-4464	lmendelis@corcoran.com	<u>SAVE IT !!</u>
Patricia Costz	44 Strong Place	(917) 650-5517	patricia.costa.ny5@gmail.	
Carol Cappelletti	360 Furman St #1105	919.906.3325	ccappelletti7@gmail.com	
R. Donohoe	235 HENRY ST 11201	917-279-1326		

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Mahmoud Cheroubi	80 Bond St	347-200-3687	tt	
Homan Cheroubi	80 Bond St	" "	tt	
Clay Francis	80 Bond St	391-731-0440		
Pantera Saint-Matija	199 Carlton Ave	718 624 0845	panstaint@gmail.com	

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Name	Address	Telephone	E-mail	Comments
James Crow	139 Bond St 11217	718-858-9895	lcrowmedes@aol.com	—
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Elsa Danila	244 pond St apt 5E			

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Name	Address	Telephone	E-mail	Comments
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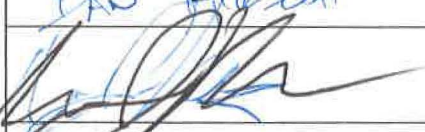
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Betsy Shepherd	1606 8 th Ave	646-745-7906		
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Andrea Santiago	51 Junius street.	344 456 3172	condemodrea8t@hotmail.com	
Sabine Aronowsky	41 St. Mark's Place	917-657-2922	Sabine13@gmail.com	

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Suzanne Dunn	294 E 34th Street, #11203 Brooklyn	305-896-3912	suzanne.dunne@hotmail.com	
Stephen Selman	34 Sutton St Brooklyn, NY 11222	703.965.5899	stephenselman@gmail.com	

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Friends of Thomas Greene Park (FOTGP) would like to thank the EPA for its hard work and dedication in reaching an arrangement with the City of New York that avoids siting the RH-034 sewage and storm water retention tank facility at the Douglass and Degraw (Double D) community pool location within Thomas Greene Park. FOTGP and the undersigned support this agreement, which should reduce the length of planned disruption for remediation efforts within the Park, avoid any permanent alienation of park space and present an opportunity to increase our parkland. We ask the EPA to continue to hold the City of New York, National Grid, and all other responsible polluters accountable to ensure a timely cleanup of the Canal and Park and to guarantee continuity of the Park's amenities and services. We urge EPA to include clear requirements for a temporary park and park reconstruction, as well as community participation in those processes, in future orders and agreements with National Grid and all other responsible polluters.

Name	Address	Telephone	E-mail	Comments
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Florien Pouwmeester	330 Bergen St #5D	917 763 7785		
James DeFilippis	129C Degraw Street	718-986-8779	jdefilip123@gmail.com	
Howard Kolins	110 Hoya St 11217	917 8336960		
Michael Becker	97 Wavirly Ave	6465707106	mike@thefrontsagency.com	
Eric Wenzel	241 E. 5 th St Brooklyn NY	212372-3154	ejw@boe.com	
DEBRA FEUER	482 CARROLL ST BK 11215	212 451-1820	brnknyrd1@gmail.com	
Michael	185 Newark	212 832 1362		
Alexis	564 SACKETT ST	917 8927987	humphreynene27@gmail.com	

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Name	Address	Telephone	E-mail	Comments
Olivia Nelson	4184 434 State St			
Matilda Nelson	434 State St			
Mitch Fremin	363 Douglass		michael@Rumh.net	
Leah Ervi	254 3rd Ave #2		leah@leah-ervi.com	
Diana Felix	572 WARREN ST Apt 2P	347-581-6997	DianaFelix2000@yahoo.com	
Shanelle D. Jenkins	832 Ocean Avenue		trumpetgenius@hotmail.com	
SANDRA Garcia	574 Warren St 6F	(347)666-2190	SGarcia 015 Yahoo.com	
Wendy	181 9th St	929-337-8025		
Alemon	241 East 3rd	9172829006		

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Name	Address	Telephone	E-mail	Comments
Rachel Wile	31-10 23rd street, #5G Astoria, NY 11106		Thwile@gmail.com	Board Member
Alexandra Dadourian	434 State St, Bklyn NY 11217		anga@gmail.com	Friend
CAPRICE HEARY KATZ	104 Butler St. Brooklyn, NY 11231		CAPRICEKATZ@ gmail	Resident
KRISTINA HERNANDEZ	93 Kapely St 6C 11231		MURK@hotmail.com	resident
Joe Voborn	360 Smith St 11231		joevoborn@yahoo	resident
Donald Blydenburgh	275A Wyckoff St. Brooklyn 11217		dblydenburgh@gmail	Friend/Resident
Jess Blydenburgh	275A Wyckoff St Bk NY 11217		jblaydenburgh@gmail	Friend/Resident
Rachel Strom	423 Atlantic Ave #30 Bk NY 11217		rstrom@hotmail.com	
Edvard Fagerholm	272 Berkeley Pl Apt 2 Brooklyn, NY 11217		edvard.fagerholm @gmail.com	resident

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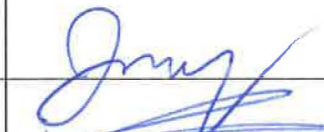




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Name	Address	Telephone	E-mail	Comments
Kaisa Antikainen	272 Berkeley Pl Apt 2 Brooklyn, NY 11217		kaisa.t.antikainen@gmail.com	resident
Fiona Pippa	440 41st St BK, NY 11232		pippafiona@gmail.com	visitor
Grace Freedman	37 Saint Marks Place Brooklyn NY 11217	718-858-4847	grace@sfreedmans.com	Gowanus Needs Green Space!
Terry LaFRAZIA	545 Warren St #2A Bklyn NY 11217		terrylafrazia@gmail.com	☺
Sarah Chihaya	142 S. 4th St #B2 Brooklyn, NY 11211		sarachi10@gmail.com	
Alex Dumont	545 Warren St. #2A Brooklyn NY 11217		alexandra.i.dumont@gmail.com	
John Schulz	182 Nevins St #3 11227		jrschulze@yahoo.com	
NICK NYHAN	343 13 St BIL, NY 11215	917-796-5340	nicknyhan@mac.com	
Kate Andrews	24 2nd Place 11231	917-301-4592	KateLew@gmail.com	

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Name	Address	Telephone	E-mail	Comments
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Cathy Diane	82 Woodhull St	917 975 7380	PINKYCD@aol.com	
Sve Wolfe	143 LAFAYETTE Ave #1A BROOKLYN, NY 11238	917-868-5332	SVE.WOLFE@CORCORAN.COM	Helps me!
Paul Reinitz + Gabrielle Gleason	433 Warren St TH-E Brooklyn, NY 11217	646-522-7540	paulreinitz@gmail.com	
Jordan Young	421 Degraw St. Apt. 214 Brooklyn, NY 11217		JordanYoung78@gmail.com	
Steve DeSeve	111 Coult St #3C 11201	917 330 6147	stevedose@yahoo.com	
Shannon Snyder	390 Wythe Ave #10 Brooklyn NY 11249	307-946-4083		
Elsa Ben Shimon	421 Degraw St. #2H Brooklyn NY 11217	646-675-6735	elsa.benshimon@gmail.com	
Hannah Bossio	95 Prospect Park West	(718) 965-8992	hannah.bossio@parks.nyc.gov	

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Name	Address	Telephone	E-mail	Comments
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Debbie Smith	20 Montgomery Pl	718-633-3440		
Valerie Bell	272 Wyckoff Gardens	718-594-6012	ValerieBell59@gmail.com	
Meiling Bell	272 Wyckoff St	347-221-8281		
Andrea Fichtman	411 17th St Apt. 3B	917-696-7490	andragauthier@gmail.com	
Nicola McCormack	105 Baltic St, #201	718 755 9374	nicolamccormack@yelp.com	
IAN Williams	294 E 34th St.	954 822 7111	FINCIAN@hotmail.com	
Tammy	463 Degraw	718. 29. 0012	tammy@gmail.com	
BONNIE CAMPBELL	345 SACKEIT ST	212-203-1795	bonniesoup@gmail.com	

Friends of Thomas Greene Park, Gowanus, Brooklyn

Recipient: Judith A. Enck

Letter: Greetings,

While we, the undersigned, support a comprehensive Superfund cleanup of the Gowanus Canal that includes addressing raw sewage overflows, we also insist that Superfund follow its own principles and make the polluters pay, not our community!

For this reason, we strongly oppose the EPA's proposed placement of a raw sewage holding tank to be built at the Douglass and Degraw (Double D) community pool and Thomas Greene Park site in Gowanus, Brooklyn and request that the alternative location identified for the proposed raw sewage retention tank be selected.

With over \$500M being spent on this EPA Superfund cleanup alone, this cleanup must be an investment in our community, and not THEFT of public parkland. The Superfund cleanup is extracting large amounts of money from Potentially Responsible Parties (PRP's), and it was revealed at a recent DEP meeting that \$50 million was spent on consultants as part of the retention tank siting selection process – this sum alone could have funded the estimated cost to replace the Double D pool. Federal, state and city agencies must effectively coordinate to protect public resources and minimize impact to the local community in the Superfund cleanup of the Gowanus Canal so that capturing raw sewage before it enters the Gowanus Canal does not mean a raw deal for the tens of thousands of families who have come to depend on the Thomas Greene Park and Double D Pool for crucial park and recreation space.

As such, we ask for guarantees to our community that any displacement or disruption to the Thomas Greene Park and Double D Pool deemed necessary as a result of the EPA, and forthcoming DEC Superfund cleanup, be met with enforceable measures to provide for the funding and seamless transition of the park facilities (pool, playground, skatepark, basketball courts) and services (the School Food Lunch, Learn to Swim, cooling centers, etc.) at a nearby temporary location. Furthermore, full restoration and permanent replacement of all the community services and park amenities must be accounted for.

Comments

Name	Location	Date	Comment
Cathleen Bell	Brooklyn, NY	2013-04-09	We use this pool every summer, nearly every day. In a neighborhood challenged for amenities this is a HUGE bonus.
Richard Kahn	Brooklyn, NY	2013-04-09	This pool is a summer refuge for not only our kids, but for dozens or more kids from the neighboring low-income housing developments.
claudia gwardyak	Bloomfield, CT	2013-04-09	my grandchildren and I enjoy the pool every summer! Please do not transform it into sewage treatment - surely there is another place for that...
Lauri Schindler	Brooklyn, NY	2013-04-09	This is a really important community facility, providing healthy "summer in the city" activities for the residents of the nearby public housing and community at large. The pool is clean, safe, and well managed, and is a place where we all come together in a neighborhood starved for public space. Please keep looking for a more suitable location for the sewerage storage facility.
David Kraus	Brooklyn, NY	2013-04-09	Dear Sir(s) and Madame(s): The community pool is all we have to bring us all together. Without it, we have nothing but a dirty sidewalk and the corner store, nowhere for my wife and daughters to interact with our close neighbors, from different worlds, but with a lot in common. Without it, Brooklyn is dead to all of us. Seriously. Please do not hesitate to call me with any concerns or follow-up questions. I am confident we can find a suitable alternative for the water processing plant. Sincerely, David Kraus 917-301-0443
Catherine O'Malley	Brooklyn, NY	2013-04-10	The pool is an invaluable part of this community. It brings the neighborhood together in a joyful, happy way--it is essential that it remain open.
Rose Latino	Brooklyn, NY	2013-04-10	Our family visits this pool at least 2x weekly!
Atea Martin	Brooklyn, NY	2013-04-10	We need this pool in our community.
Andrea Cherrington	Brooklyn, NY	2013-04-10	We started the Facebook group! This is our neighborhood pool, and we'll fight to keep it open.
Sarah Fader	Brooklyn, NY	2013-04-10	I love this pool. My kids love to swim it in every summer.
Marcia Friedland	Brooklyn, NY	2013-04-10	The pool is an important community resource.
Colleen Cruz	Brooklyn, NY	2013-04-10	It's an amazing community resource that allows for people from various walks of life to come together socially. Very few places like this exist in NYC anymore. Let's not destroy this one.
Susie Farrell	Brooklyn, NY	2013-04-10	When my children were young this was a welcome place to visit on hot summer days. I know many young families that use the pool regularly during the summer.
Maaike Bouwmeester	Brooklyn, NY	2013-04-10	My kids love this pool... it's been an incredibly important resource to connect communities with very different economic resources in this area.
gregg mitchell	brooklyn, NY	2013-04-10	i love swimming there with my child
Birgitta Rubin	Brooklyn, NY	2013-04-10	This is a fantastic neighborhood pool, teeming with children (and adults) in the summer -- a little oasis in which to cool off in, learn to swim and just have fun. What a tremendous loss if it were to close. There are no nearby pools, and to have to haul to Red Hook is not an option for most people without a car. I truly hope a closure can be prevented.

Name	Location	Date	Comment
Anne Sherman	Brooklyn, NY	2013-04-10	This is a valued community resource that improves the quality of life for local residents.
Ariane Schaeffer	New York, NY	2013-04-10	There are better locations for a raw sewage tank and pools are hard to come by in the city. Why take something away from a community when it does good like providing meals and swimming lessons. Far too many kids in the summer will open fire hydrants instead sent them to the pool to learn how to swim. NYC stop destroying communities.
Amanda Agudelo	Brooklyn, NY	2013-04-10	Help support a community
Michael DiSanto	Brooklyn, NY	2013-04-10	I'm a member of the nearby Brooklyn Boulders gym and during the summer always see tons of children and families enjoying the pool. It seems like a crime or tragedy to replace it with a sewage facility. There has to be another way.
Evan Shapiro	Brooklyn, NY	2013-04-10	Not enough community pools in NY and this is a really nice one. We use it often. Dont shut it down!
Patrick Phillips	Brooklyn, NY	2013-04-10	My kids have grown up going to this pool and we love it! Don't do this.
Jesse Groom	Brooklyn, NY	2013-04-10	Ive grown up using this pool, and if its going to be closed down 5 more need to be built. but we all know that isnt going to happen. There are already not enough ways for our communities to cool off while still being outside in that crazy nyc summer heat.
theresa jehamy	brooklyn, NY	2013-04-10	I have seen this community change for the better in the last 10 years. My children and i feel safe hear and enjoy spending several hours a week here. One of the only fun summer activity that we can do for free!!!!
Nancey Jo Tolliver	Catlett, VA	2013-04-11	This is my grandchildren's neighborhood pool. I went there with them and was blown away. It is well done and should be preserved.
Charlene Nimmons	Brooklyn, NY	2013-04-11	I don't want EPA to select Thomas Greene Park Pool as the location to install a waste tank. There are other viable sites to use that will not interfere with the summer breakfast and lunch program for our neighboring children and the only local cooling site for our local families.
Seth Harris	Brooklyn, NY	2013-04-11	What is the point in saving Gowanus if you have to destroy its best park in the process?
Tamara Greenfield	Brooklyn, NY	2013-04-11	Why take away one of the few amenities for the people who live nearby?!
Eileen Lynch	Brooklyn, NY	2013-04-11	I use this pool all summer with my family.
Marisa Schwartz	Brooklyn, NY	2013-04-11	My sons learn to swim here - water safety saves lives.
Tamar Smith	Brooklyn, NY	2013-04-11	Because the Double D pool is wonderful and so needed in the community
isak tiner	brooklyn, NY	2013-04-11	We must stand together to fight against corporate greed & planning that is inconsiderate of the needs of each community.
Manuel Carrero	Brooklyn, NY	2013-04-11	I lived my entire in Park Slope, the first 25 years of my life. Douglas pool was the only place in the neighborhood my sisters and I spent most of our summers. This was a place were friends and family go to spend quality time and beat the heat :-). Why is it that whenever there is something being built, the neighborhood children have to pay. Leave the neighborhood pool and parks alone!
Sharon Chen	Brooklyn, NY	2013-04-12	I believe there are other ways to clean up the Gowanus Canal than taking the community pool away that many go to socialize and hang out at. What will they do once they're stripped of their favorite past time? Obesity is one of the biggest issues that we Americans are struggling to fight. You take the resource that provides and encourage physical activity away, you'll just push people to eat more and move less. You'll cause more problems than solving this one.
Mireille Mclean	Brooklyn, NY	2013-04-13	This pool is the best thing for our neighborhood kids in the summer.

Name	Location	Date	Comment
Denise Morales	Brooklyn, NY	2013-04-14	I'm signing this petition because I've used this pool since I was 13 yrs old. Now that I have my own family, we go to Douglas pool as a family. I would really hate to see this childhood place full of memories be destroyed!
Kristin Mensing	Brooklyn, NY	2013-04-15	My two daughters and I live in Park Slope and spend most of our hot days in Brooklyn at the Double "D". It is the ONLY accessible body of water for so many families, and moreso for for low income families in the community. It is a wonderful community center, where friends & family can cool off and relax during the hot summer months. PLEASE KEEP IT OPEN!!
Lorraine Le Tac	Brooklyn, NY	2013-04-15	This is a wonderful community pool that serves the immediate surroundings and beyond.
Wendy Margulies	Brooklyn, NY	2013-04-15	Great pool, serves as a necessary community resource especially for under-served children who cannot afford "camp" during the summer.
Leah Clarkson	Brooklyn, NY	2013-04-15	This pool is the only pool that can be reached on foot for a large number of Brooklynites--it is not dispensible; indeed, more resources should be devoted to improving this community treasure.
Radha Subramanyam	brooklyn, NY	2013-04-15	This is the only local pool for Park Slope, Gowanus and other neighborhoods
Kerstin Hofmann	Brooklyn, NY	2013-04-15	The children in the area NEED this pool in the summer! Please keep it open!!!
Jane Higgins	Brooklyn, NY	2013-04-15	My son (3) just saw a picture of the pool and said. "I love that cool pool." Keep it for the kids.
Katie Bednark	Brooklyn, NY	2013-04-15	This amenity serves an area where it is much needed!
Theresa Gonzalez	Brooklyn, NY	2013-04-15	Only outside recreational pool within walking distance or public transportation without having to cross a highway (ie Hamilton Ave to go into Red Hook). With little ones the travel to the pool is as big of a deal as the pool itself!
Alison Khalaf	Brooklyn, NY	2013-04-15	This pool is an important community resource.
Cathy Towle	Brooklyn, NY	2013-04-15	We use this valuable resource to beat the hot summer in the city. It's important for the community.
J. Sturm	Brooklyn, NY	2013-04-15	This pool serves a diverse group of Brooklyn residents who NEED and USE this pool all summer long.
amanda magalhaes	brooklyn, NY	2013-04-15	this is one of the best resources in our community
Jen Keiser Gordon	Brooklyn, NY	2013-04-15	My children and I love swimming in the Double D pool. It is a wonderful community resource.
Allan Scholl	Brooklyn, NY	2013-04-15	My children utilize this pool every summer with their friends. They joined the swim team and took lessons there.
Melissa Guion	Brooklyn, NY	2013-04-15	This is my local pool! My family, including my 6 year old daughter, use this pool to cool off in the summer. We can walk there. Please don't close it! It's one of the best community resources we have, and a place where all members of the community come together.
Clement Dargent	Brooklyn, NY	2013-04-15	This is the only swimming pool in the neighborhood... it's important for the community!
Jane Bliss	Brooklyn, NY	2013-04-15	While cleaning up the Gowanus Canal is great for the community, I don't support killing such a valuable community resource to do so.
patrick burns jr	Brooklyn, NY	2013-04-15	Me and my family use this pool almost every day of the summer. It would be devastating to my children, myself and the community, if this pool were to close, especially since the park was just beautifully renovated.
Sarah Lichtman	Brooklyn, NY	2013-04-15	My family uses this pool all the time in the summer. It is an important community resource where different types of people within the community can mix and enjoy spending time together.

Name	Location	Date	Comment
darian Silk	Brooklyn, NY	2013-04-15	My son learned to swim at this pool and it is a valuable community resource. Also the park was just recently re-done at much expense. As the housing increases in the Gowanus area it will be more and more important to have significant park resources available to all residents.
don sparacin	brooklyn, NY	2013-04-15	My daughter learned to swim here. There is ample space along the beautiful shores of the gowanus canal for your sewage treatment facility. Leave the community pool as is.
Bruce Hamilton	Brooklyn, NY	2013-04-15	During the spring and summer, this pool is an invaluable resource for all of the residents in the community. It is managed and maintained very well and compliments the adjoining newly renovated park. I'm pretty sure there are other locations along the canal that could support the treatment plant.
Antonia Martinelli	Brooklyn, NY	2013-04-15	This is the only walkable outdoor swimming facility in my area. The Red Hook Pool is not a pedestrian friendly option. The Double D pool makes the hot summer more tolerable and is the only opportunity my children have to learn how to swim. Why aren't we asking the Lightstone Group to put this storage facility under their buildings?
Sarah Moriarty	Brooklyn, NY	2013-04-16	Because we all deserve a place to cool off on a hot summer day. Because community is not just about working together, it is about playing together.
kathleen hackett	Brooklyn, NY	2013-04-16	The pool is just one of the things that brings people from diverse socioeconomic backgrounds together, which is essential to the health and well-being of the neighborhood and surrounding neighborhoods. It provides a healthy environment for kids in the summer --- most of whom might be left with few options.
Carolynn Di Fiore	Brooklyn, NY	2013-04-16	We have very little for our children in NYC at least let them have this pool.
Margaret O'Keefe	Brooklyn, NY	2013-04-16	We love and rely on the Double D pool as do many of our neighbors
Nancy Dodd	Brooklyn, NY	2013-04-16	My kids love to swim at the pool. It's our only community pool.
Melissa Ennen	Brooklyn, NY	2013-04-16	They are cleaning the canal in order to gentrify the neighborhood (not that it shouldn't be cleaned). Lower-income people get screwed constantly and are suffering most in this economy. Don't take the pool away, too.
Susan Boyle	Brooklyn, NY	2013-04-16	This is a necessary resource for Brooklyn families in the summer.
Louise Sloan	Brooklyn, NY	2013-04-16	I am sure there is some warehouse that could be bought and razed rather than substituting sewage for a beloved and well-used community resource.
Niamh Ring	Brooklyn, NY	2013-04-16	I've been going there for years and now take my 6-year old son there.
Christine Schwartz Hartley	Brooklyn, NY	2013-04-16	My kids and I have been going there for years. It's a great resource and wonderful space for the neighborhood's various communities to share during the summer. Taking it away would make a lot of people very angry. We need free public recreation spaces! More of them, not less!
edgar crutchfield	brooklyn, NY	2013-04-16	this is the only swimming pool in my nabe. we need it.
Boaz Weinstein	Brooklyn, NY	2013-04-16	The Double "D" pool is a valued and valuable community resource for thousands of Brooklynites, particularly in an area with limited park resources as is.
christine dappolonia	ny, NY	2013-04-16	A much used, needed and loved place for kids in the summer
Andrea Rashish	Brooklyn, NY	2013-04-16	This neighborhood deserves more services, not fewer!
patricia stegman	Brooklyn, NY	2013-04-16	Because it serves a highly populated area including large low-income apt. houses whose children need this park and pool very much!
Jennifer Bernstein	Brooklyn, NY	2013-04-16	The pool is a mainstay of our community life.
Tracey Maurer	Brooklyn, NY	2013-04-16	This pool is a vibrant part of our community

Name	Location	Date	Comment
Courtney Black	Brooklyn, NY	2013-04-16	My kids have been going to DD pool for a couple of years now. They love it. DD pool is surrounded by low-income housing. Taking the pool away means that when it comes to the summer-those kids wont have much to do since there isn't much around DD pool.
Roselyn Kopit	Brooklyn, NY	2013-04-16	This is an important resource for the entire neighborhood
Stephanie Church	Brooklyn, NY	2013-04-16	this pool is an amazing resource for the community--for kids and adults alike. a wonderful place to go in the summer.
Brooke Ferguson	Brooklyn, NY	2013-04-17	This is the only pool in our neighborhood!
Linsey Laidlaw	Brooklyn, NY	2013-04-17	Its where we swim!!!
Jessica Hartshorn	Brooklyn, NY	2013-04-17	There are plenty of other spots, you don't need to take away the place our kids go to exercise and be healthy!
Agnes Crane	Brooklyn, NY	2013-04-17	I've been going to the DD pool for 10 years and my 7-year daughters learned to swim there. With so few places to cool off in the summer, it's a terrible idea to close the pool that the whole community enjoys.
Elizabeth Williams	Brooklyn, NY	2013-04-17	This is a valuable r
Jessica Trauner	Brooklyn, NY	2013-04-17	My family and I use this pool all summer long. It is a wonderful local pool that we can walk too and it provides respite and an easy, accessible way to cool off during the hot summers. Many individuals in the community use this pool from diverse backgrounds, and many people do not have easy means to get to another pool (for example, the pool in Red Hook), if this one were to close. We ask that the EPA seek out another site in build a sewage storage facility as part of the Superfund Gowanus clean-up.
kathleen henderson	bklyn, NY	2013-04-17	Our kids need this pool to stay cool in the summer.
David Lengel	Brooklyn, NY	2013-04-17	Removing pools has a signifigant impact on the quality of life of nearby residents. Providing centres such as these are one of the many reasons New York is one of the most livable cities in the world, and pools are one of the best public services in its history. Please find another place for this facility.
Matt Polacheck	Brooklyn, NY	2013-04-17	My kids go to this pool every week with their summer camp, and it would be a shame to close such a valuable resource for our children and the community.
Kate Rope	Brooklyn, NY	2013-04-17	This pool is a valuable, well-used, and well-loved community resource that serves an economically diverse neighborhood. There is no reason the neighbors of the Gowanus canal should lose such an important part of their life in order to clean up the canal. There are many other accessible pieces of real estate to use for the same purpose. How horrible is it to take away a safe and enjoyable summertime activity from kids who need it only to replace it with raw sewage? That's a PR nightmare, EPA!
sandye renz	Brooklyn, NY	2013-04-17	We love the pool and go there often.
Jaime Brackeen	Astoria, NY	2013-04-17	A free public pool offers the potential for interaction between people of many ethnicities, social levels and walks of life to interact in a safe and fun environment. Why take that away?
Valerie Wattenberg	Brooklyn, NY	2013-04-17	This pool is an essential outlet for Brooklyn's children; how can you trash children's needs, and shift the burden from companies that poisoned the Gowanus and government that allowed it?
Isidora Finkelstein	Brooklyn, NY	2013-04-17	I love this pool! It is clean and well-managed. It is one of the most diverse places in Park Slope and the surrounding area. Plus, they just redid the park next to it.

Name	Location	Date	Comment
Jordan Green	Brooklyn, NY	2013-04-17	I live in the area- and the Double D pool is very valuable to our community. Also- when it comes to the super fund site- the polluters should be held accountable- and the community should not suffer from their actions.
Susan Kovar	BROOKLYN, NY	2013-04-17	This pool is such a neighborhood treasure! I visit regularly throughout the summer and love seeing neighbors and children enjoying the summer and taking the opportunity to cool down. Please do't take away our pool!!
Douglas Allen	Brooklyn, NY	2013-04-17	I don't want to live a block away from a raw sewage facility.
Peter Kinoy	Brooklyn, NY	2013-04-17	City pools are vital to democratic city life; the mingling of people all enjoying the same space.
Kyle Vitale	Brooklyn, NY	2013-04-17	We love this pool and swim here multiple times per week in the summer!
Isadora Reisner	New York, NY	2013-04-17	Everyone should have fun in the summer-- not just those who can afford it.
Susanna Yurick	Brooklyn, NY	2013-04-17	Think about community needs before destroying their resources.
Imanigayle Gillison	Brooklyn, NY	2013-04-17	This is important to me because Thomas Greene Park (not "Douglass/Greene" as it is being referred to) was named after my Godfather for his endless community advocacy and service to this district. He would want this park/pool/playground to remain accessible to local Gowanus Houses, Wyckoff Gardens and Warren/Turnkey Houses Community Residents.
Cricket Keys	Brooklyn, NY	2013-04-17	Public Pools are an important part of the community as much as parks. One of the few things tax payers can enjoy!
RK Dillon	Brooklyn,, NY	2013-04-17	This is a wonderful neighborhood asset & wouldn't be duplicated anywhere near if it's demolished.
RENEE FLOWERS	BROOKLYN, NY	2013-04-17	I was there and anticipation was at an all time high when this recreation area was being constructed. This pool has been the fun place to hang out for many years. What's more important is that it has drawn together the community. We live in a super diverse community and having everyone meet each other while engaging in this fun recreation has been an asset to the development of community relations (and that is awesome in itself).
Beth Frey	Brooklyn, NY	2013-04-17	It's in my community and is a wonderful resource to have in the summer for my daughter.
Katy Reitz	Brooklyn, NY	2013-04-17	There are so few places in the city for children to be able to be outside and experience the water. The DD pool is a gem that is well utilized by the community.
Mary Beth Early	Brooklyn, NY	2013-04-17	Come on! This is a great community resource for kids and families!
Greg Tiefenbrun	Brooklyn, NY	2013-04-17	I live nearby and use the pool often.
Mary Bruccoli	Brooklyn, NY	2013-04-17	This is the one amenity in the neighborhood used by everyone... young, old, black, white, rich, poor. There are plenty of open lots by the canal. Please don't take this away from the neighborhood!
Shayna Kessler	Brooklyn, NY	2013-04-17	Places for community members to exercise, play and engage in healthy activities keep communities safe and healthy by providing positive alternatives to unsafe behavior. Please don't harm our community by destroying our pool.
Julius Elinson	Brooklyn, NY	2013-04-17	This is one of the few places in the neighborhood for free and healthy fun in the summer.
Nasoan Sheftel-Gomes	Brooklyn, NY	2013-04-17	I used to live a block away and I used to take my child there. It is an extremely important part of the Park Slope community. There is a playground on the site and the community and it's children should not have to lose a vital community resource to help the Gowanus Superfund clean-up. Make the polluters pay not our community!

Name	Location	Date	Comment
Kayla Chisholm	Fanwood, NJ	2013-04-17	I grew up going to this pool, its pool that keeps kids out of trouble in the summer and gives you something to do .
Antoinette Wannebo	Brooklyn, NY	2013-04-17	It is vital to provide free opportunities for safe, healthy fun for kids and their families during the summer months. This pool serves that purpose and more -- it is well used by the community, provides a venue for free lunch and swim lessons. It is not an acceptable solution to close down a vital public community resource. I also question the environmental and social justice of siting a multimillion dollar raw sewage storage facility in the neighborhood.
J Jackson	Brooklyn, NY	2013-04-17	I frequent this pool with my son and his aunt every summer. It's a well-maintained and well-operated facility, and one of the rare places where the entire Pk Slope/Gowanus community can convene and everyone feels welcome.
Lara Holliday	Brooklyn, NY	2013-04-18	The Double D is a huge part of our community -- a place for all of the children to cool down and have fun in the summer. But more importantly, it gives city kids a chance to learn to swim -- a potentially life-saving skill that everyone deserves a chance to learn. Please save our pool!
Lisa Hickey	Brooklyn, NY	2013-04-18	my child and i use this pool regularly during the summer - the kiddie pool is wonderful and there is not another public pool in our neighborhood.
Steve de Seve	Brooklyn, NY	2013-04-18	The canal must be cleaned and the sewage must be stopped. But the city, state, and National Grid are the problem. They must pay the full amount, including paying to make a new pool the locals can use --- otherwise it means the local families will be paying with their summer activities, for cleaning pollution others are responsible for. A new, nearby pool site must be acquired. There are a few sites nearby. But the city and the crooked bloomberg administration has to cough up the money and do the right thing.
Lisa Baker, MD	Brooklyn, NY	2013-04-18	Please don't take away community places that are used by all different members of the community. This pools draws from all around it and beyond.
sheelagh appleby	brooklyn, NY	2013-04-18	i great place to take my 3 year old when it's hot outside
Beverly J Kidd	Dayton, OH	2013-04-18	Children need safe, and clean places for recreation.
Taryn FitzGerald	Brooklyn, NY	2013-04-18	First the school, now the library, and next the pool? We don't have enough resources as it is, in this community. Enough! Leave our neighborhood alone!
Scott Levy	Brooklyn, NY	2013-04-18	We run a business with multiple locations in the area and this is a valued pool for our families!
Adam Witten	Brooklyn, NY	2013-04-18	This park was just renovated over the winter and the pool is in heavy use all summer. It is a true public space. Please keep this keystone of the community open.
Sergio Fanchiotti	Brooklyn NY, NY	2013-04-18	This is an important service to the neighborhood. Taking it away is really absurd.
David Locke	Cape May, NJ	2013-04-18	There are too few such amenities in this neighborhood to lose this one, even for a few years. Maybe they should put the retention tanks under that huge luxury coop about to be put up on the other side of the canal, what?
Stuart Dryburgh	Brooklyn, NY	2013-04-18	Me and my two boys swim there every day through the summer. And it is always packed with kids from the neighborhood. Vital!
Basheba Vazquez	Brooklyn, NY	2013-04-18	This is a great community pool. We frequent this pool many times throughout the summer. It also provides free meals for those who need and a great wading pool for the little ones.

Name	Location	Date	Comment
Carolyn Pravda	Brooklyn, NY	2013-04-18	Please save the DD pool! It's an important recreation spot for two family filled neighborhoods!
Stu Anderson	Brooklyn, NY	2013-04-18	I grew up swimming in this pool and I would hate not to be able to share it with future generations. This is a Brooklyn landmark, not a disposable feature.
Henry Carrier	Brooklyn, NY	2013-04-18	I have been to the pool many times with my children. The pool is safe, clean and a welcome relief on a hot day. Public Space is a premium in Brooklyn. Do not take it away.
Deirdre Dolan	brooklyn, NY	2013-04-18	there aren't a lot of ways to entertain kids in brooklyn in the 90 degree heat.
Melissa Fitzpatrick	Brooklyn, NY	2013-04-18	This pool is an important part of an already underserved community -- why take away one of the few benefits they enjoy?
Eva Garriga	Brooklyn, NY	2013-04-18	because it is important for the community to have a place to cool off in the summer.
leslie nuchow	brooklyn, NY	2013-04-18	What would Jesus do? Take a summer pool away from inner-city kids to build a poop tank? Seriously? We need to wake UP to TRUE FAMILY VALUES. What will all of those children do in the hot summer? Do we care? Let's show the children and families that we DO CARE by stopping this closure. When will we see the value in putting our children first?
mike benson	brooklyn, NY	2013-04-18	community, health, chill out factor, connection to a natural element in an urban setting, diverse groups connecting, health and fitness, wellness, access to swimming,
Tom Lino	Brooklyn, NY	2013-04-18	Our family swims at the "Double D" pool to escape the summer heat. We love it!
gilles bransbourg	brooklyn, NY	2013-04-18	This pool serves the entire community and is a key entertainment component of what the neighborhood has to offer during summer, especially for those we don't or can't travel to nice vacation spots. Removing it would be hugely detrimental, especially to the less privileged members of our community.
Ariel Flavin	Brooklyn, NY	2013-04-18	This pool brings our often separated community together. It's a resource for everyone and kids in the city deserve a place to swim and cool off in the summer. It's one of our neighborhoods most valuable resources.
Sharon Guskin	Brooklyn, NY	2013-04-18	This pool is important for the community.
Tonya Thornton	Brooklyn, NY	2013-04-18	Summer would not be the same without the DD pool! This pool is the perfect way to cool off during the hot summer months and enjoy the water with my daughter! Please don't close the pool,
Bomee Jung	Brooklyn, NY	2013-04-18	This is a community facility beloved by families of varying economic means. There's nothing like this pool anywhere near by. Cleaning up Gowanus shouldn't place more burdens on the parents and kids of this community!
Emma Golden	New York, NY	2013-04-18	My kids use thsi pool every summer as do many kids in and around the area
Allison Conner	Brooklyn, NY	2013-04-18	Brooklyn needs it's pools. That's where my step-daughter learned to swim! It's good for the community.
Lucy McNair	Brooklyn, NY	2013-04-18	This is a fabulous small pool perfect for beginners and families and has no other one like it in the city.
Ian Dutton	New York, NY	2013-04-18	Any temporary displacement of public amenities must be rebuilt an replaced in a final state of the project with interim accommodations provided!

Name	Location	Date	Comment
Sabine Aronowsky	Brooklyn, NY	2013-04-18	<p>Friends of Douglass Greene Park (FODGP) supports a comprehensive cleanup of the Gowanus Canal, that includes addressing Combined Sewer Overflows (CSO's) and coal tar waste entering the canal from the uplands area. We ask the EPA to make the polluters pay and not our children and our community. The potentially responsible parties (PRP's) are National Grid and the City of New York.</p> <p>We do not want a raw sewage tank to disrupt our Double D pool and we need clear answers about the level of toxicity of the land beneath the pool. The families that use this Park and Pool deserve remediation and not more obfuscation from the PRP's. There are other locations, closer to the CSO outfall (RH-034), where the tank can go, such as the lot on Nevins and Butler, across the street from the Pump station and the Flushing tunnel.</p> <p>Over \$500 M will be spent on this cleanup and we want a Record of Decision that minimizes any possible disruption to the park & pool and provides for any direct costs related to that, including a nearby temporary pool and a permanent replacement, along with all the community services and other park amenities accounted for. Anything less would be considered an environmental justice issue, and there are EPA protocols for this.</p>
Kristin Brady	Brooklyn, NY	2013-04-18	Our family relies on this pool all summer - what a fantastic community resource! We would hate to see it go.
Michelle de la Uz	Brooklyn, NY	2013-04-18	Assuming the pool needs to be disturbed to either properly remediate the Fulton MGP site or as the most appropriate location for a retention tank, then an interim location for a temporary pool MUST be found so there is no loss of access to the local community to this critical community asset AND the community must be involved in redesigning a new, replacement pool (and park if that is impacted too). The cost of the interim pool, design process that includes the community, and new pool should be born by the PRPs responsible. Thanks
Sarah Jefferys	Brooklyn, NY	2013-04-18	In summertime, my kids go to this pool almost every day. It is a life saver in hot weather and a very special spot for city kids to swim. Please save the pool!
Sheri Stein	Brooklyn, NY	2013-04-18	Please don't make local kids who have so few places to go in the summer suffer.
Jayson Haedrich	SUNNYSIDE, NY	2013-04-19	NYC Pools are important for everyone Relief from the summer heat
Anita Keire	Brooklyn, NY	2013-04-19	Love that pool in the summer time!
Michael Cosaboom	Brooklyn, NY	2013-04-19	My family uses the pool practically every day in the summer. It's the best recreational space in the neighborhood and it needs to remain open.
Geri de Seve	troy, NY	2013-04-20	My granddaughters live in the neighborhood and kenjoymthis pool in the summertime. I want to keep it open and I want it to be safe for them and the other neighborhood children who need a
Lisa Bohan	Brooklyn, NY	2013-04-20	This is a important community resource!! Please find another location for the treatment plant.
Ann Armbruster	Brooklyn, NY	2013-04-20	There are only two pools serving all of South Brooklyn. They are both packed in the summer.
Christian Fox	Brooklyn, NY	2013-04-20	The DD pool is a great resource for the community and is anything but underused. Shutting it down would remove a positive activity for many youths and families during the summer months.
Elizabeth Amon	Brooklyn, NY	2013-04-20	We love going to the pool in the summer-- it's close and a relief from the heat.

Name	Location	Date	Comment
Albert Wong	Brooklyn, NY	2013-04-20	This is the only public pool in Park Slope/ Gowanus!
Eva Radke	Brooklyn, NY	2013-04-20	This is a community resource we need preserved!
Nancy Broadway	Brooklyn, NY	2013-04-20	This is an important community resource which is utilized by people from all over the community.
Barbara Hatfield	Brooklyn, NY	2013-04-20	I use the pool and recognize its importance to the community.
David Osorio	Brooklyn, NY	2013-04-20	I owe a business on Degraw street (CrossFit South Brooklyn). Many of our parents take their kids to the pool after classes, it is a great part of our summer experience. It would be a shame to lose this pool as the entire community uses it. Please don't take more away from the housing projects too..
Andrea Lewandowski	Brooklyn, NY	2013-04-21	My kids and many of their friends depend on this using this pool every summer. It is not fair to penalize the community. We need this pool!
Paul Sonn	Brooklyn, NY	2013-04-21	Gowanus has so little park and community space already. It can't afford to lose the little that it has. The Double D Pool is a wonderful resource used by families from a wide range of neighborhoods - please find another alternative!
malcolm varon	new york, NY	2013-04-21	<p>i use this pool often in the summer as a way to escape the heat and to get exercise and recreation. It is convenient, and provides a much needed easy to reach break from my very busy life schedule. I would find closing of this pool a severe damage to my quality of life in my neighborhood. I urge you to reconsider your proposal, and not destroy this much needed and much used pool, playground, and park facility.</p> <p>Yours sincerely,</p> <p>Malcolm Varon</p>
Jim Brennan	Jersey City, NJ	2013-04-22	Plenty of vacant lots and vacated industrial spaces in and around that neighborhood could be used as locations - NYC residents need public pools
jennifer gandia	brooklyn, NY	2013-04-23	Brooklyn needs more, not less recreational spaces for its residents and children. This pool provides a valuable space for outdoor activity in the community. Please find another location for your sewage plant - yuck!
Maia Murphy	Brooklyn, NY	2013-04-23	DD pool is a rare example of a public space in a neighborhood short on green spaces. Keep it open!
Francine Pado	Brooklyn, NY	2013-04-24	My family uses the pool every day in the summer. Please don't close it!!!!
Adria Stokes	Brooklyn, NY	2013-04-25	This is important to me because we need to keep the few neighborhood get-aways that we have.
Teddie Vietor	Brooklyn, NY	2013-04-25	My grandchildren and I frequent the pool during summers
lauren healy	brooklyn, NY	2013-04-25	We love swimming at this pool as one of our main summer activities! great for kids to have somewhere to go in the summer!
Jeannine Cooke	Brooklyn, NY	2013-04-25	Why destroy & dirty (with sewage!!!) a perfect place, to clean up a polluted one? if this happened in another country our government would protest. Everywhere in the world people replace sewage with parks & pools. Why would we do the opposite? Our park & pool are the recreation camp & summer camp for thousands of people from our community who can't go to camps outside the city. With all the unused land around this canal, why would anybody think about destroying our newly restored park & pool?
sarah crichton	brooklyn, NY	2013-04-25	This pool keeps our neighborhood healthy and happy and sane and calm!
Kathy McCullagh	Brooklyn, NY	2013-04-26	The pool keeps us sane in the summer - we can bike there - please don't destroy this pool!

Name	Location	Date	Comment
Amy Freeman	Brooklyn, NY	2013-04-26	Summers are only getting hotter in NYC and everyone needs a place nearby to cool off - especially people who can't get out of the city easily. NYC knows this better than the EPA, and can and should come up with a better, more well thought out plan. Why should the local community suffer the consequences of the polluted canal AND be the ones to pay for it??
Lisa Grocottl	Brooklyn, NY	2013-04-26	With no green space near us this is the closet thing to our local park.
ed lavelle	brooklyn, NY	2013-04-26	take a place where kids play and make it into a raw sewage tank? you're going the wrong way.
steven hart	brooklyn, NY	2013-04-26	I wish to preserve civilization from sewage tanks.
Chris Stocksmith	New York, NY	2013-04-26	We love the pool.
E Shigaki	Brooklyn, NY	2013-04-26	It is in my neighborhood and important to the working class families who use it!
Tammy Kreiter	Brooklyn, NY	2013-04-27	There are many industrial & desolate areas aligning the canal that would be closer and more efficient placement to help clean up the canal. Destroying an oasis seems a poor choice of location.
Rhonda Keyser	Brooklyn, NY	2013-04-27	This is our neighborhood pool! We go here and our daughter can meet friends and mix with other kids she would otherwise never meet. The staff is courteous and the pool is always clean and feels safe. Lots of area kids can get healthy lunch here every day. Please don't take away what works and is good for the community!
Zhenia Stadnik	Brooklyn, NY	2013-04-27	This is our neighborhood pool - my son trains for the city team there. There is no other place in our neighb. where kids can get swimming lessons provided by the city for free.
Michelle Kupper	Brooklyn, NY	2013-04-27	Such a great n'hood spot!
Emmet Malmstrom	Brooklyn, NY	2013-04-28	The Double D Pool is part of our community and an oasis for everyone during Summertime
melissa dadourian	brooklyn, NY	2013-04-28	my kids use the pool
Carol Cohen	Brooklyn, NY	2013-04-28	Our community needs places that bring us together and keeps neighborhoods strong
Marie Watt	Brooklyn, NY	2013-04-29	We love his pool. It's a community meeting place. It's not as celebrated as other swimming and water venues in the neighborhood and frankly that is part of the draw. In reality, it is located in a rapidly growing family centered neighborhood in Brooklyn, especially as families are being price out of nearby neighborhoods. This pool is more essential then ever. It also continues to compliment a newly renovated park.
dagmar cecic-karuzic	brooklyn, NY	2013-04-29	The best pool for my 7 year old and in walking distance
Meema spadola	BROOKLYN, NY	2013-04-29	Brooklyn families need a place to cool off during the hot summer months! This pool is used and enjoyed by a large and diverse group of Brooklynites!
Jessica Cary	Brooklyn, NY	2013-04-29	We got to the Double D three times a week during the summer! It's amazing.
Bob Bland	Brooklyn, NY	2013-04-29	My daughter Penny did her swim lessons at Double D, and its a BEAUTIFUL pool! That part of the community deserves a great public resource like Double D.
Meredith Davis	Brooklyn,, NY	2013-04-29	Community!!! how will NYC keep middle class people in the city with zero amenities! we use this pool and so do thousands of other middle and working class brooklyn families. NOT an option to remove this pool or park.
havona madama	brooklyn, NY	2013-04-30	We spend a fair amount of our summer at the D&D pool with its very practical shady area for that few area pools provide.

Name	Location	Date	Comment
Emily Cowan	Bloomington, IN	2013-04-30	There are so few communal and affordable places to keep cool in summer. Please don't take this from the kids and families.
Brad Farwell	Brooklyn, NY	2013-04-30	The pool is a great and needed community space. Don't hurt the area more in your attempts to help it.
Sindia Fernandez	Brooklyn, NY	2013-04-30	Let's keep family friendly opportunities in the neighborhood. Isn't that what we need most?!
Lindsay Anderson	Cincinnati, OH	2013-04-30	This is the best public pool for my family. Don't close it!
Matthew Christensen	Beverly Hills, MI	2013-05-02	I live right by this park and it is incredibly important to my life and the lives of my neighbors. These are rare places and we can't afford to make them even more rare.
K Karmen	Brooklyn, NY	2013-05-10	Have been going to Double D since my kids were babies. Next closest public pool is Red Hook, which is not easily accessible.
arielle meier	Brooklyn, NY	2013-05-11	we've been going to dd pool for at least 10 years. we love it and rely on it to get us through the summer.
teresa kahres	brooklyn, NY	2013-05-11	love the public pools and the gowanus should have been delt with years ago.
Jesse Hendrich	Brooklyn, NY	2013-05-13	Our family loves this pool. My son learned to swim there a few years ago and we hope to teach our daughter to swim when we go there this summer.
Virginie Ladisch	Brooklyn, NY	2013-05-13	As a local resident, I love being able to go to the pool and take my kids there too.
James Forrester	Brooklyn, NY	2013-05-20	The neighborhood has seen huge numbers of new families moving in without a commensurate increase in facilities to support them. Now is not the time to be taking them away.
Alice Wong	Brooklyn, NY	2013-05-20	City echildren need as much outdoor space as possible
denise shaffer-berne	brooklyn, NY	2013-05-20	there are VERY FEW places in the city that are affordable to cool down on a hot day. DD Pool is one. Located in a very underserved area, it would be a crime to close the facility! Other places can be found for the EPS's Sludge storage—DD Pool should not be on the list of possibilities.
Carey Johnson	Brooklyn, NY	2013-05-20	This sort of tone-deaf ham-handed ignorance of the value of a community resource is one of the reasons I was skeptical of the EPA's involvement. Is this really the *only* location you can find for a retention tank?
Michael DuBick	Brooklyn, NY	2013-05-21	This is an important neighborhood resource, especially for children.
Carolyn Hughes	Nashville, TN	2013-05-21	Every neighborhood should have access to safe, healthful recreational facilities.
Tracey Berg	Brooklyn, NY	2013-06-02	The park and pool are one of the few assets of the neighborhood. This neighborhood really needs that pool. Can't you find someplace else to put the sewage retention tank? There are lots of large unused blocks of buildings nearby. Why aren't those sites an option? Please, let the neighborhood keep its sorely needed pool.
Michael Cantone	Brooklyn, NY	2013-06-27	This pool is my childrens summer get away!
Pierce Allen	Brooklyn, NY	2013-06-29	I live in the area and have kids. I take the kids to the pool at least once a week during the months it is open.
Camden McDaris Black	Brooklyn, NY	2013-06-29	I was there this morning, and have spent most summer weekends there since my son was born 3 years ago. The thought of this pool closing HORRIFIES me and we MUST stop the closure. The Double D exemplifies what is beautiful about B'lyn - kids from all walks of life being able to enjoy themselves for free in a clean, safe space. PLEASE WRITE ALL YOUR LEGISLATORS ABOUT THIS!

Name	Location	Date	Comment
Marilia Destot	Brooklyn, NY	2013-06-30	That's our local pool ! I go every summer with my kid, it's free, clean, a nice way also to meet a mixed group of people from the diverse brooklyn and i'm sure many kids going there can not pay private membership to YMCA etc... the best way to cool down the summer, should be kept as one service priority for local families.
Lindsay Donnellon	Brooklyn, NY	2013-06-30	It is important to clean the Gowanus but not at the expense of simply shifting the environmental burden from one place to another. Plus the cleanup of the canal as a public good should not sacrifice nor degrade another public good. Please reconsider this idea with one that is not NIMBY-esque in its solution but holistic and non-harming.
TOM MURPHY	Brooklyn, NY	2013-07-01	I empathize with them. The EPA is inflicting harm on this neighborhood when the cause resides up-hill.
Maggie Furlong	brooklyn, NY	2013-07-02	I use the DD pool. it is also one of the few available parks with summer activities for the people who live in the projects close by.
Diana Gliedman	Brooklyn, NY	2013-07-02	Our children rely on the Double "D" pool to cool off every summer! It is a community treasure-- don't take it away.
Patricia Conway	Brooklyn, NY	2013-08-26	Few other recreational facilities in the neighborhood...since money spent on the adjacent park, even more important.
Johanna Neufeld	Brooklyn, NY	2014-10-03	I live around the corner. This pool is a wonderful place to spend summer afternoons and its the only one for miles. Without it our neighborhood won't be the same.
Noma Price	Brooklyn, NY	2014-10-04	I use this pool all summer with my daughter. It is one of the few in the city with a wading pool for toddlers and is a very important public resource
Richard Weisfeld	Brooklyn, NY	2014-10-04	Where do I start?
Mark Koppel	purdys, NY	2014-10-05	parks must never be eliminated. period. the end. thank you.
Elizabeth Appel	Lake Peekskill, NY	2014-10-05	My granddaughter lives in this neighborhood so this could affect her happiness and safety.
Sue Wolfe	Brooklyn, NY	2014-10-06	This is the only park and pool in Gowanus and we have to save it! There are other areas where the overflow sewage tanks can be placed. Sue
Jennifer Kliegel	Brooklyn, NY	2014-10-06	My business is one block from the location and this pool & park are necessary and important parts of the kids' lives and the parents, too. This is not the answer - shame on anyone that is backing this idea - shame on you!
Kirby Kim	Brooklyn, NY	2014-10-07	I go to the park and the pool multiple times a week in the summer. My son loves it. In particular the wading pool for toddlers is a rare aspect that distinguishes the pool from others. It's a place where people from the whole neighborhood can get together and it's something we all - regardless of job, race, socioeconomic level - treasures equally. It's good clean family fun for free and in this neighborhood that's desperately needed.
M. Janice Cardona	Brooklyn, NY	2014-10-08	We use the Double D pool almost daily in the summers. It's very convenient, clean, and the staff is cordial and knows my daughter by name.
Paul Zinman	Brooklyn, NY	2014-10-09	We frequently use the Double "D" pool. It is a valuable community resource that we cannot afford to lose!
M T	Brooklyn, NY	2014-10-09	I live in the neighborhood and took my children to this pool many times when they were younger. It is a much-needed community resource!
Shawn Lewis	Brooklyn, NY	2014-10-09	I bring my 7 year old twins to this pool all summer long. Downtown Brooklyn is bursting with families- we need these vital outdoor spaces.

Name	Location	Date	Comment
suzette forte	brooklyn, NY	2014-10-09	Our community uses it - with more buildings and less green space it's an asset in the warmer months when close quarter living is heated.
regina caulfield	Brooklyn, NY	2014-10-09	It is a much needed resource for this community. Put the tank closer to the canal where it belongs...put it in whole foods backyard...I'm sure the payoff will be great.
gaye jones	brooklyn, NY	2014-10-11	because we cant all aford to take trips to the beach! and families need a place to play and its a great way to stay cool, kids need to get the chance to learn how to swim , n the ymca is not cheap!!
cris pop	brooklyn, NY	2014-10-21	this is one of the last things still around, reminding of a calmer, more breathable neighborhood... Don't kill it!
Edward Blake	Brooklyn, NY	2014-10-21	I often visit the pool during the summer as a place to cool off. It is a highly successfully public park in our neighborhood.
Joel Greenwald	Brooklyn, NY	2014-10-21	I use the Douglas and Degraw pool during the summer months. There is no other public pool nearby. It serves a vital need in my community for recreation and cooling down during the summer months. Suitable alternative sites should be able to be located for a sewage holding tank.
Alexandra Friend	Brooklyn, NY	2014-10-21	For the community. It's a much better place when kids have somewhere to be in the summer and gives the people ownership over their community.
Rae Jacobson	brooklyn, NY	2014-10-22	Kids should have a place to swim, regardless of money or where they happen to live. Find a new place for your poop tank.
Cathleen Schine	New York, NY	2014-10-22	my brother and his family live in park slope and they and all their neighbors who can't get out of the city in the increasingly hot summers should have a neighborhood place to swim
Mia Simring	New York, NY	2014-10-22	New Yorkers need public pools!
Carol Cardozo	Austin, TX	2014-10-22	When I lived in NYC, I loved swimming at free city pools. They meant a lot to me. I had fun with my friends and in August, swimming pools provided an important escape from the heat. Kids need pools in the summer, families need pools in the summer and teenagers and young adults need pools too. Swimming is magical. The idea that they want to close a neighborhood pool just so a government agency can build something that could be built in many other places is just wrong. Yes the spot is clear, and flat and because the pool is there, a lot of the prep would already be done, but that pool is important to so many people. So many kids would lose their place to be kids. Neighborhoods need pools. The Double D needs to stay.
Claire Curtis	S Berwick, ME	2014-10-22	I have friends who live near there. The pool is an invaluable part of the neighborhood. The holding tank can be located somewhere that does not destroy community.
Richard Patrock	Kingsville, TX	2014-10-22	We need to keep as many playgrounds free as possible. Swimming is important, especially in the summer in NY. This pool is largely attended by the relative poor in the city and the pool removed would be a huge burden to the neighborhood.
David Ameijeiras	New York, NY	2014-10-22	I see all the how the park has changed our community as I go to work each day!
Oliver Dungey	Brooklyn, NY	2014-10-22	This pool serves several communities across numerous neighborhoods. It is an amenity that is loved and used abundantly by everyone. Why make life a little bit worse for everyone by removing it?
Oliver Jones	New York, NY	2014-10-22	Its a huge community benefit in the summer months and great addition to the neighborhood
Linda Blyer	Bklyn, PA	2014-10-22	Park space should not be destroyed for sewage that can be located elsewhere

Name	Location	Date	Comment
Brian Janusiak	Brooklyn, NY	2014-10-22	We are from the neighborhood and this is an important resource for parents and children in the Summer months!!!
Carole Rubenstein	Brooklyn, NY	2014-10-23	Need every pool for families to use
Alice Kaltman	Brooklyn, NY	2014-10-23	I am a swimmer, and a neighbor, and the kids around here NEED the double "D"!
Jennifer Melby	Brooklyn, NY	2014-10-23	Double 'D' pool is vital to our community
Craig Seligman	Brooklyn, NY	2014-10-23	The Double "D" pool is an important community resource.
David Jacobson	Brooklyn, NY	2014-10-23	My neighborhood
Nadine Berger	Brooklyn, NY	2014-10-23	Only outdoor pool on the neighborhood. Essential for summer and the many kids here, including my own.
Mike Crowley	Brooklyn, NY	2014-10-23	This is a public park. Not a toxic waste holding site. The only things happening in this park right now should be the ongoing renovation and renewal project, which is only a third finished at this point. The neighborhood is up and coming, people use the park more with every day that goes by.
bryan mechutan	nyc, NY	2014-10-23	my 6 year old daughter loves the pool!
dwight smith	brooklyn, NY	2014-10-23	Our neighborhood already has too little open space by standard city measures and taking away this park would make matters much worse, which is totally unreasonable.
John Baumann	Brooklyn, NY	2014-10-23	Important for the neighborhood
Elisa Wallman Jacques	Brooklyn NY, NY	2014-10-24	Every neighborhood should have a pool. We can't start taking this important summer resource away.
Jessica Tolliver	Brooklyn, NY	2014-10-24	My home and my family business (Brooklyn Music Factory, a music school for kids & adults) are located within blocks of the park. The park is a precious and necessary resource to the community. My family uses it personally, and our school uses it during camp every day all summer long. Our students and their families also use the park year round before and after their classes. In an industrial neighborhood like Gowanus, usable outdoor space is rare and much-needed.
Irene Van Slyke	Brooklyn, NY	2014-10-24	Boerum Hill has almost no open space or public facilities so the Park and the pool are important
Philip Antoniadis	Brooklyn, NY	2014-10-24	This is one of very few public pools in this area of Brooklyn.
nancy feinberg	new york, NY	2014-10-24	because my colleague cherishes this neighborhood park
Christopher Galloway	Ridgewood, NY	2014-10-24	This community is disadvantaged enough; we do not deserve to lose scarce community resources while the greedy continue their desecration unhindered.
Henry torres	Brooklyn, NY	2014-10-24	I grew up with that pool as they only source of entertainment we had in that area and I would like my kids to also experience the same joy as I when I was a child.
Douglas Barnes	Brooklyn, NY	2014-10-27	This is a wonderful facility in a neighborhood that has a serious lack of parks.
Lissa Wolfe	New York, NY	2014-10-27	It's a great park with wonderful programming for an area that doesn't have a lot of green space.
Daughtry Carstarphen	BROOKLYN, NY	2014-10-27	This pool is AMAZING and is the only one around for MILES. It brings together so many different people - come see for yourself!
Susan Laughter	Brooklyn, NY	2014-10-28	concerned about health and recreation of our children

Name	Location	Date	Comment
Margaret Cusack	Brooklyn, NY	2014-10-28	The improvements to the park and pool are important features in our community. The many neighbors and volunteers in a variety of ages and backgrounds should be commended for their efforts, which have enriched Brooklyn.
Heather Campbell	Brooklyn, NY	2014-10-30	Brooklyn does not have enough recreational spaces for its citizens and this is a treasured spot
Robert Greer	Chicago, IL	2015-01-28	This is the ONLY greenspace in this neighborhood. Other potential sites are being passed over because they are slated for development by wealthy hotel owners. Don't clean up Gowanus on the backs of the local community!

Name	City	State	Postal Code	Country	Signed On
Sabine Aronowsky	Brooklyn	New York	11217	United States	5/5/2016
Corinne Goodman	Brooklyn	New York	11215	United States	5/9/2016
Tracey Pinkard	Brooklyn	New York	11217	United States	5/9/2016
Phillip Hope	Brooklyn	New York	11215	United States	5/9/2016
Katrina Motch	Brooklyn	New York	11225	United States	5/9/2016
Angie Phillips	Brooklyn	New York	11207	United States	5/9/2016
Stu Anderson	Brooklyn	New York	11215	United States	5/9/2016
mitzy andino	Brooklyn	New York	11217	United States	5/10/2016
Maria Marcano	Brooklyn	New York	11217	United States	5/10/2016
Jonathan Chang	Brooklyn	New York	11217	United States	5/10/2016
Steve de Seve	Brooklyn	New York	11201	United States	5/10/2016
Sarah Garraoui	Brooklyn	New York	11217	United States	5/10/2016
Lenin Cancel	Brooklyn	New York	11217	United States	5/10/2016
Lance Shelton	Brooklyn	New York	11206	United States	5/10/2016
Jonathan Vandenburg	BROOKLYN	New York	11217	United States	5/10/2016
Christine Schwartz Hartley	Brooklyn	New York	11217	United States	5/10/2016
Elizabeth Lahart	Brooklyn	New York	11217	United States	5/10/2016
Danielle Delaloye	Brooklyn	New York	11217	United States	5/10/2016
SARAH LAVERY	BROOKLYN	New York	11238-6151	United States	5/10/2016
Ing Leevsten	Brooklyn	New York	11217	United States	5/10/2016
Christian Fox	Brooklyn	New York	11217	United States	5/10/2016
alexandra dadourian	brooklyn	New York	11217	United States	5/10/2016
Kate Rubin	Brooklyn	New York	11215	United States	5/10/2016
debra smock	Brooklyn	New York	11217	United States	5/11/2016
Hollister White	Brooklyn	New York	11217	United States	5/11/2016
Cassandra Kinyon	Brooklyn	New York	11215	United States	5/11/2016
Brian Giambalvo	Brooklyn	New York	11215	United States	5/11/2016
Douglas Gordon	Brooklyn	New York	11215	United States	5/11/2016
Steve Miller	Brooklyn	New York	11215	United States	5/11/2016
Grace Freedman	Brooklyn	New York	11217	United States	5/11/2016
Theo Kogan	Brooklyn	New York	11215	United States	5/11/2016
Brenna Griffin	New York	New York	11231	United States	5/11/2016
Barbara Buenz	Brooklyn	New York	11215	United States	5/11/2016
zoe kogan	Brooklyn	New York	11215	United States	5/11/2016
Birgitta Rubin	Brooklyn	New York	11215	United States	5/11/2016
christine napolitan	Brooklyn	New York	11215	United States	5/12/2016
Valerie Whispersb Bell	Brooklyn	New York	11217	United States	5/12/2016
Lizette Arthur	Brooklyn	New York	11203	United States	5/12/2016
tiffany williams	New York	New York	10002	United States	5/12/2016
Charlene Nimmons	Brooklyn	New York	11217	United States	5/12/2016
analuisa valentin	new york	New York	10002	United States	5/12/2016
Leona Dickerson	Brooklyn	New York	11217	United States	5/13/2016
sylvia vega	Brooklyn	New York	11201	United States	5/13/2016
sara greenfield	Brooklyn	New York	11220	United States	5/16/2016
Mecca Culbert	New York	New York	11201	United States	5/17/2016
James Edward Heck	Richmond	Virginia	23224	United States	5/17/2016

sarah wikency	East Jerusalem		11217 Palestinian Territory	5/17/2016
Douglas Barnes	Brooklyn	New York	11217 United States	5/17/2016
Sophie Bell	Brooklyn	New York	11217 United States	5/17/2016
Mary McDaniel	New York	New York	11201 United States	5/17/2016
Devlin Miles	Brooklyn	New York	11205 United States	5/17/2016
Kreg Holt	Brooklyn	New York	11238 United States	5/17/2016
Dan Hirschi	Brooklyn	New York	11215 United States	5/17/2016
Matt Cohen	Brooklyn	New York	11217 United States	5/17/2016
Liz Opoka	Brooklyn	New York	11215 United States	5/18/2016
Catherine Hogg	New York	New York	10022 United States	5/18/2016
Lissa Wolfe	Brooklyn	New York	11217 United States	5/18/2016
Kathryn Schneider	Brooklyn	New York	11217-2030 United States	5/18/2016
Natalie Wheeler	Brooklyn	New York	11234 United States	5/18/2016
Shawn Lewis	Brooklyn	New York	11216 United States	5/18/2016
Danielle Safonte	Brooklyn	New York	11218-1030 United States	5/19/2016
Janice Cardona-Smock	Brooklyn	New York	11217 United States	5/19/2016
D Reznik	New York	New York	11201 United States	5/19/2016
Kaye McKenzie	Brooklyn	New York	11217 United States	5/19/2016
Erin Cooney	Brooklyn	New York	11215 United States	5/19/2016
Paul Zinman	Brooklyn	New York	11217 United States	5/19/2016
James Vogel	Brooklyn	New York	11217 United States	5/19/2016
Tenya Steele	Valley Stream	New York	11580 United States	5/19/2016
Liz Brownback	Brooklyn	New York	11217 United States	5/21/2016
tim wilkins	Brooklyn	New York	11215 United States	5/22/2016
Beth Bingham	Brooklyn	New York	11217 United States	5/22/2016
Lindsey Saldivar	Brooklyn	New York	11217 United States	5/25/2016
Justin Israelson	Brooklyn	New York	11218 United States	5/25/2016
James Case	New York	New York	11201 United States	5/25/2016
Ioana Kutuzova	Brooklyn	New York	11225 United States	5/25/2016
Steven Wojcik	Brooklyn	New York	11218 United States	5/25/2016
Patricia Conway	Brooklyn	New York	11217 United States	5/25/2016
Craig Toohey	Seattle	Washington	11216 United States	5/25/2016
Charles Sheehan	New York	New York	10001 United States	5/26/2016
Isabel Kraut	Brooklyn	New York	11218 United States	5/26/2016
Janet Gallagher	Woodside	New York	11377 United States	5/26/2016
Tim Chaffee	Brooklyn	New York	11215 United States	5/27/2016
Anna Botardo	Brooklyn	New York	11217 United States	5/28/2016
Peter Reich	Brooklyn	New York	11217 United States	5/28/2016

Dear Regional Administrator Judith Enck:

As an employee in the film and television industry, I am strongly opposed to the City's efforts to close Eastern Effects' soundstage at 270 Nevins Street. Eastern Effects, a film and television production studio adjacent to the Gowanus Canal, was recently notified by the City that it would be forced to cease operations and close in order for the property to be used as a temporary staging area for the construction of two combined sewage overflow (CSO) tanks required to clean up the canal.

Losing its flagship soundstage will be devastating to Eastern Effects and it will send ripples through our industry by signaling that productions are not welcome in New York City. When productions film in New York City, they hire local residents like me. By the City's own estimate, the film and television industry brings in \$9 billion to our local economy. The industry supports 109,000 full-time equivalent jobs and indirectly supports another 20,000 full-time equivalent jobs at caterers, location rentals, and other local suppliers.

Productions are clamoring to film in New York City. A record 52 scripted television series are being filmed in the City this year—double the number from 2013. If productions can't find adequate space within the five boroughs, they will quickly turn to other cities and take tens of thousands of jobs with them.

Losing Eastern Effects' soundstage means that I will lose a part of my livelihood. There are alternative locations nearby that are suitable for the temporary construction staging that will not close small businesses and eliminate jobs. I urge you to consider those sites and keep my job, and so many others, in Brooklyn.

Sincerely,

cc: Mayor Bill de Blasio

Commissioner Julie Menin, Mayor's Office of Film and Television

Commissioner Emily Lloyd, Department of Environmental Protection

Congresswoman Nydia Velazquez

Brooklyn Borough President Eric Adams

State Senator Velmanette Montgomery

Assembly Member Jo Anne Simon

Council Member Stephen Levin

Council Member Brad Lander

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Dear Regional Administrator Judith Enck:

As a small business owner in Brooklyn, I am strongly opposed to the City's efforts to close Eastern Effects' soundstage at 270 Nevins Street. Eastern Effects, a film and television production studio adjacent to the Gowanus Canal, was recently notified by the City that it would be forced to cease operations and close in order for the property to be used as a temporary staging area for the construction of two combined sewage overflow (CSO) tanks required to clean up the canal.

Losing its flagship soundstage will be devastating to Eastern Effects and it will send ripples through our community, negatively affecting other small businesses. By the City's own estimate, the film and television industry brings in \$9 billion to our local economy. When productions film in New York City, they utilize small businesses like mine to support the film or television series. This provides my business with increased revenue that supports me and my employees.

In addition to the 230 direct jobs that would be lost at Eastern Effects, the loss of a significant soundstage would greatly impact my business and my employees. There are alternative locations nearby that are suitable for the temporary construction staging that will not close small businesses and eliminate jobs. I urge you to consider those sites and keep valuable jobs in Brooklyn.

Sincerely,

Cc: Mayor Bill de Blasio
Brooklyn Borough President Eric Adams
Congresswoman Nydia Velazquez
State Senator Velmanette Montgomery
Assembly Member Jo Anne Simon
Council Member Stephen Levin
Council Member Brad Lander

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Dear Regional Administrator Judith Enck:

As a representative of a film production company in New York City, I am strongly opposed to the City's efforts to close Eastern Effects' soundstage at 270 Nevins Street. Eastern Effects, a film and television production studio adjacent to the Gowanus Canal, was recently notified by the City that it would be forced to cease operations and close in order for the property to be used as a temporary staging area for the construction of two combined sewage overflow (CSO) tanks required to clean up the canal.

Losing its flagship soundstage will be devastating to Eastern Effects and it will send ripples through our industry by signaling that productions are not welcome in New York City. By the City's own estimate, the film and television industry brings in \$9 billion to our local economy, supports 109,000 full-time equivalent jobs, and indirectly supports another 20,000 full-time equivalent jobs at caterers, location rentals, and other local suppliers.

It is becoming nearly impossible for companies like mine to find space to produce in New York City. A record 52 scripted television series—double the number from 2013—and 336 films were filmed in the City in 2015. However, the number of soundstages has not been able to keep pace with the overwhelming demand. I want to keep my business in New York City and utilize the immense talent pool that exists in our city, but without Eastern Effects, I may need to move my productions to other cities that have the facilities I need.

There are alternative locations nearby that are suitable for the temporary construction staging that will not force businesses like mine to leave New York City. I urge you to consider those sites and allow the local film and television industry to continue to thrive.

Sincerely,

cc: Mayor Bill de Blasio

Commissioner Julie Menin, Mayor's Office of Film and Television
Commissioner Emily Lloyd, Department of Environmental Protection
Congresswoman Nydia Velazquez
Brooklyn Borough President Eric Adams
State Senator Velmanette Montgomery
Assembly Member Jo Anne Simon
Council Member Stephen Levin
Council Member Brad Lander

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Dear Regional Administrator Judith Enck:

I am strongly opposed to the City's efforts to close Eastern Effects' soundstage at 270 Nevins Street. Eastern Effects, a film and television production studio adjacent to the Gowanus Canal, was recently notified by the City that it would be forced to cease operations and close in order for the property to be used as a temporary staging area for the construction of two combined sewage overflow (CSO) tanks required to clean up the canal.

Eastern Effects is a small, locally-owned business that is committed to growing in Brooklyn. In 2009, after years of searching, they identified 270 Nevins as the perfect location to build a state-of-the-art soundstage. After investing three years and \$5 million, they opened a New York State Level 2-certified soundstage and began attracting top productions, like the hit television series, "The Americans." A production campus has grown around 270 Nevins Street—editing suites, writing suites, equipment storage, and offices now occupy buildings on both sides of the canal. Today, the campus supports over 230 jobs, most of which are union.

By the City's own estimate, the film and television industry brings in \$9 billion to our local economy, supports 109,000 full-time equivalent jobs, and indirectly supports another 20,000 full-time equivalent jobs at caterers, location rentals, and other local suppliers. A record 52 scripted television series are being filmed in New York City – double the number from 2013. But it's becoming nearly impossible for productions to find adequate space in New York City. If they cannot find space, productions will turn to other cities, costing New York City jobs and valuable tax revenue.

There are alternative locations nearby that are suitable for the temporary construction staging that will not displace an active, thriving business and eliminate hundreds of jobs. I urge you to support Eastern Effects and to consider alternative sites.

Sincerely,

cc: Mayor Bill de Blasio

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Commissioner Emily Lloyd, Department of Environmental Protection
Congresswoman Nydia Velazquez
Brooklyn Borough President Eric Adams
State Senator Velmanette Montgomery
Assembly Member Jo Anne Simon
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